

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

MINUTES

AUGUST 16, 2022 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, August 16, 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, Rice, Willert, and Mesdames Amadio, Bonnett, Byrd, and Cummings were also present.

PUBLIC ATTENDANCE: Mr. Michael Clarke and Ms. Samantha Newell of Rudolph Clarke; Ms. Traci Confer; Mr. Mark Sloan; and Mr. Rich Golato 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

APPROVAL AND PRESENTATION OF RESOLUTION NO. 2022-04 – HONORING THE SERVICE OF RICHARD GOLATO UPON HIS RETIREMENT: Mr. Kern read aloud the resolution and said the resolution plaque will be sent to Mr. Golato, who attended the meeting virtually. RES. NO. 2022-04

It was moved by Ms. Sage, seconded by Ms. Nichols, and unanimously carried to adopt Resolution No. 2022-04.

Mr. DiSantis recognized Mr. Golato for his eleven years of service at DELCORA. He stated that Rich was an employee you could count on and his experience, leadership and mentoring was of great benefit to the younger employees. He thanked Rich for being such a good employee and for his years of service to the Authority.

APPROVAL AND PRESENTATION OF RESOLUTION NO. 2022-05 – HONORING THE SERVICE OF MARK SLOAN UPON HIS RETIREMENT: Mr. Kern read aloud the resolution and presented the resolution plaque to Mr. Sloan who personally attended the meeting onsite.

RES. NO. 2022-05

It was moved by Ms. Sage, seconded by Ms. Billings, and unanimously carried to adopt Resolution No. 2022-05.

Mr. DiSantis recognized Mr. Sloan for his twenty-seven years of service to the Authority. He stated that Mark enjoyed changing jobs through the years and, especially, thanked him for his service in the Sewer Maintenance Department in helping to establish good relationships with our customers.

Mr. Willert added his thanks and appreciation to both Rich and Mark for their years of outstanding service to the Authority.

Also, on behalf of the Board, Mr. Kern thanked Rich and Mark for their years of service in protecting the public health and the environment.

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. Mullen, seconded by Ms. Nichols, and unanimously carried that the minutes of the Regular Meeting of July 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 August 8, 2022. She noted two items requiring Board action were considered and approved earlier in the agenda. 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 August 8, 2022. There were no additions to the meeting minutes.

Strategic, Planning
& Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on August 9, 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 August 10, 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 certain items such as the pending litigation will be discussed in Executive Session. Legal Liaison
2. CHAIRMAN: Mr. Kern reported that there was a recent meeting with the Chester City Mayor and the City Receiver that will be discussed further in Executive Session. 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 certain items such as legal issues and ESA Tunnel land acquisitions will be discussed in 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 July 2022.
- It was moved by Mr. Knapp, seconded by Mr. Moss, and unanimously carried that the statement and the list of bills in the amount of \$3,236,341.71 for the month of July 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: Mr. Kern stated that there were no Contract Close-Outs at this time. CONTRACT CLOSEOUT

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 \$2,197,642.65 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: Mr. Kern stated that there were no Authorizations to Advertise Contracts at this time.

AUTHORIZATION
TO ADVERTISE
CONTRACTS

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. ERM (Environmental Resources Management) – Proposal Dated August 4, 2022 – For Professional Real Estate Support Services For The ESA Tunnel Supplemental Proposal II For Additional Scope Of Work – Total Additional Amount Not To Exceed \$9,940.00 (Capital Funds).

ERM
ESA Tunnel –
Proposal II –
Additional Scope

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

2. Authorization for Professional Services: (Operating Funds)

Authorization for
Professional
Services

A. Chavond-Barry Engineering – Proposal Dated August 2, 2022 – For Professional Engineering Services To Provide Additional Scrubber Service (Data Review, Troubleshooting, Operations Support, Prepare Training Materials And Training) – Total Additional Amount Not To Exceed \$20,000.00 (Operating Funds).

Chavond-Barry
Additional 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 Mr. Mullen, seconded by Mr. Moss, and unanimously carried to approve the Professional Services proposal listed above.

B. Trinity Consultants – Proposal Dated August 5, 2022 – For Professional Services To Provide Toxchem And Ammonia Emission Factor Evaluation – Total Amount Not To Exceed \$10,900.00 (Operating Funds).

Trinity Consultants
Toxchem & Ammonia
Emission Factor
Evaluation

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

C. Cavallo Environmental Services, LLC – Proposal Dated July 7, 2022 – For Professional Services To Prepare The 2022 Pollutant Minimization Plan (PMP) Annual Report – Total Amount Not To Exceed \$15,000.00 (Operating Funds).

Cavallo Env. Services
Prepare 2022 PMP
Annual Report

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

D. Trinity Consultants – Proposal Dated July 30, 2022 – For Professional Services To Prepare DELCORA's Title V Permit Renewal Application And To Provide Post Application Support – Total Amount Not To Exceed \$19,500.00 (Operating Funds).

Trinity Consultants
Prepare Title V Permit
Renewal Application

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

E. NewGen Strategies & Solutions – Proposal Dated August 3, 2022 – Provide Rate Model Update For 2023 Rates – Total Amount Not To Exceed \$9,480.00 (Operating Funds).

NewGen Strategies &
Solutions
Rate Model Update
for 2023

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

3. Approval Of The Following Easement Agreement And Payment For The Wastewater Tunnel Project In Accordance With The DELCORA Board Of Directors Resolution 2020-34: Tunnel Easement

<u>Parcel No.</u>	<u>Location</u>	<u>Type of Easement</u>	<u>Cost</u>
49-11-01977-00	Chester, PA	Subterranean	\$1900.00

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 subterranean easement agreement and payment listed above.

4. 2023 Capital Borrowing – Bond Counsel. 2023 Capital Borrowing Bond Counsel

Mr. Kern stated that this item was discussed at the Finance Committee meeting.

General discussion followed concerning financing options, acquiring County Council support, drafting a resolution authorizing the borrowing of funds, tax exempt status, timeline of financing, and firms considered for Bond Counsel.

It was moved by Ms. Billings, seconded by Mr. Knapp, and unanimously carried to approve the appointment of Dilworth Paxson LLP as Bond Counsel to pursue bank loan financing. (Ms. Skye Nickalls to serve as Lead Bond Counsel.)

EXECUTIVE SESSION: There was an Executive Session held after the regular Board meeting to discuss certain legal and financing matters. EXECUTIVE SESSION

ADJOURNMENT: It was moved by Ms. Nichols, seconded by Mr. Knapp, and unanimously carried to adjourn the regular meeting at 4:10 P.M. ADJOURNMENT

ATTEST
Secretary