

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

MINUTES

FEBRUARY 21, 2023 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, February 21, 2023, 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 Mesdames 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, Cummings, and Jackson were also present.

PUBLIC ATTENDANCE: The following were present: Peggy Ries Alter, Christopher Folk, and Mike Ewall. No other members of the public were present. PUBLIC

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited by all parties present. PLEDGE OF ALLEGIANCE

ORDER OF BUSINESS

COMMENTS FROM THE PUBLIC: Mr. Kern stated that there were no comments or questions received from the public. PUBLIC COMMENT

APPROVAL OF MINUTES: It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried that the minutes of the Regular Meeting of January 17, 2023, be approved as submitted. APPROVAL OF MINUTES

It was moved by Mr. Knapp, seconded by Mr. Monaghan, and unanimously carried that the minutes of the Special Board Meeting of February 13, 2023, be approved as submitted. APPROVAL OF SPECIAL BOARD MEETING MINUTES

REPORTS: REPORTS

1. COMMITTEES: COMMITTEES

a. Human Resources and Administration. Ms. Nichols stated that the Committee met on February 13, 2023. There were no additions to the meeting minutes. Human Resources and Administration

b. Strategic Planning and Goals. Mr. Nagle reported that the Committee met on February 13, 2023. There were no additions to the meeting minutes. Strategic Planning & Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on February 14, 2023. 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 15, 2023. There were no additions to the meeting minutes. Finance

e. Pension. Mr. Monaghan stated that the Committee met on February 15, 2023. There were no additions to the meeting minutes. Pension

f. Legal Liaison. Ms. Billings provided the following updates: Legal Liaison

- On February 27<sup>th</sup>, there will be a hearing in Federal Bankruptcy Court related to the City of Chester's request for enforcement of the Stay in the bankruptcy case. The Bankruptcy Solicitor for the Authority will attend and Ms. Billings also plans to attend. Aqua did file a motion in opposition to enforcing the Stay and, after reviewing what they submitted to the Court, our Bankruptcy Attorney recommended not filing anything. The Board had previously authorized them to file, if needed, but they determined that anything DELCORA would have said was already included in Aqua's motion; therefore, no filing was made.

- On February 14<sup>th</sup>, Aqua filed Preliminary Objections to DELCORA's Request for Declaratory Action in the Delaware County Common Pleas Court. Our attorneys have twenty days to respond. Neither a hearing date nor a briefing schedule date has yet to be determined.

- The PUC hearings remain on hold. They were originally scheduled for February 14<sup>th</sup>. Aqua has not filed a Request for Review nor has Delaware County. We are awaiting the decision of the Bankruptcy Court before taking any action.

2. CHAIRMAN: Mr. Kern stated that he is still waiting to schedule a meeting with the Philadelphia Water Department. He announced that DELCORA's Irene Fitzgerald will be receiving the *Ted Moses High Hat Award* at the PennTec Conference held this June in Hershey, PA, and during the awards ceremony, she will be inducted into the "Sludge Shovelers Society". He also mentioned that the PennTec Conference offers very good technical presentations. Mr. Kern noted a conference held by the Pennsylvania Municipal Authorities Association (PMAA) offers training sessions designed specifically for Authority Board members. The PMAA Conference will be held this September at the Kalahari Resort in the Poconos. He encouraged members to attend. Ms. Billings added that the PMAA is also offering CHAIRMAN

a Board Member training session this March in King of Prussia. This session is also available virtually.

3. EXECUTIVE DIRECTOR: Mr. Willert congratulated Irene Fitzgerald noting that she has done an outstanding job every day for years and thanked the Awards committee for choosing her to receive this award. 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 he continues to work on land acquisition matters and HR issues.

SOLICITOR

OPERATING FUND PAYMENTS:

OPERATING  
FUND PAYMENTS

1. CHIEF FINANCIAL OFFICER 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 2023.

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 \$4,806,121.26 for the month of January 2023 contained in the Chief Financial Officer report be approved.

CONSTRUCTION FUND PAYMENTS:

CONSTRUCTION  
FUND PAYMENTS

1. ENGINEERING ADVISOR'S REPORT: Mr. Lehman stated there were no additions to the written report.

ENGINEERING  
ADVISOR

2. CHANGE ORDERS:

CHANGE ORDERS

• Contract No. SW-2104-C – SWDCMA Sewer Inflow And Infiltration Removal – Change Order No. 1 – Increase In Contract Time Due To Delays In Obtaining Materials To Complete Job Items – Increase In Contract Time Of A Total Of 137 Days To March 31, 2023 (Standard Pipe Services, LLC). Mr. Kern stated that this contract change order was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

Contract No. SW-  
2104-C  
SWDCMA Sewer  
&I Removal  
CO #1

It was moved by Mr. Mullen, seconded by Mr. Knapp, and unanimously carried to approve this contract change order.

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 Ms. Nichols, and unanimously carried as follows: (a) that the bills of contractors, engineers and others for construction costs, engineering services and related costs under the Sewer Revenue Bond Series of 2023 in the amount of \$1,160,559.71 are hereby approved; and (b) the requisitions on the Sewer Revenue Bond Series of 2023 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. P2023-01 – Lawn Mowing And Maintenance Contract No. P2023-01
- Contract No. P2023-02 – Janitorial Services Contract No. P2023-02
- Contract No. P2023-03 – Liquid Polymer Flocculant Dewatering Contract No. P2023-03
- Contract No. P2023-04 – Liquid Polymer For Sludge Thickening Process Contract No. P2023-04
- Contract No. P2023-05 – Sodium Bisulfite 38% Contract No. P2023-05
- Contract No. P2023-06 – Primary Clarifier Spare Parts Contract No. P2023-06

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. Nagle, seconded by Mr. Mullen, and unanimously carried to advertise all of the above contracts.

AWARD OF CONTRACTS: AWARD OF CONTRACTS

- Contract No. P2022-05 (Re-Bid) – Dewatered Solids Transportation, Stabilization And Beneficial Use/Disposal Services. Contract No. P2022-05 (Re-Bid)  
Mr. Kern stated that the lone bidder was J. P. Mascaro & Sons with a total two-year bid amount of \$2,993,166.00 for Item #1 and Item #2 and was in full compliance with DELCORA's requirements.

It was moved by Mr. Mullen, seconded by Ms. Sage, and unanimously carried to award Contract No. P2022-05 (Re-Bid) to J. P. Mascaro & Sons for a two-year contract in the amount of \$2,993,166.00 for Item #1 and Item #2 [ Item #1: Years 1 and 2: \$2,298,780.00 (15,480 wet tons) and Item #2: Years 1 and 2: \$694,386.00 (4,676 wet tons) ].

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. East Latitude, LLC – Proposal Dated January 30, 2023 – For Professional Services For GIS-Based Sewer Data Analysis And Mapping – Total Amount Not To Exceed \$5,000.00 (Capital Funds). East Latitude GIS-Based Sewer Data Analysis & Mapping  
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 this Professional Services proposal.

B. Ryan Appraisal & Real Estate Company – Proposal Dated January 23, 2023 – For Professional Services To Prepare Appraisal Of The Property Owned By The Norwood Borough Authority (Norwood Borough) – Total Amount Not To Exceed \$4,500.00 (Capital Funds). Ryan Appraisal Appraise Property Owned By Norwood Borough  
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. Moss, seconded by Mr. Mullen, and unanimously carried to approve this Professional Services proposal.

C. Catania Engineering – Proposal Dated February 9, 2023 – For Professional Engineering Services For Design Of The Parker Street Outfall Emergency Replacement – Total Amount Not To Exceed \$71,980.00.00 (Capital Funds). Catania Design Services Parker Street Outfall Emergency Replacement  
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 this Professional Services proposal.

D. ERM (Environmental Resources Management) – Proposal Dated February 3, 2023 – For Professional Real Estate Support Services For The ESA Tunnel Project For Additional Scope Of Work – Total Additional Amount Not To Exceed \$22,900.00 (Capital 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.

ERM  
Addtnl. Real Estate  
Services  
Re: Tunnel Project

It was moved by Mr. Mullen, seconded by Ms. Sage, and unanimously carried to approve this Professional Services proposal.

2. Authorization for Professional Services: (Operating Funds)

Authorization for  
Professional  
Services

A. Catania Engineering – Proposal Dated January 31, 2023 – For Professional Engineering Services For The Review Of Planning Modules For 2023 – Total Amount Not To Exceed \$15,000.00 (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.

Catania  
Review Planning  
Modules In 2023

It was moved by Ms. Billings, seconded by Mr. Mullen, and unanimously carried to approve this Professional Services proposal.

B. Trinity Consultants – Proposal Dated January 6, 2023 – For Professional Services To Provide 2023 Title V Compliance And Reporting Assistance To DELCORA – Total Amount Not To Exceed \$22,900.00 (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.

Trinity  
2023 Title V  
Compliance &  
Reporting

It was moved by Mr. Mullen, seconded by Mr. Moss, and unanimously carried to approve this Professional Services proposal.

C. Power Engineers – Proposal Dated February 6, 2023 – For Professional Engineering Services To Provide Continued Technical Support For GIS, CityWorks, And Granite XP – Total Amount Not To Exceed \$15,000.00 (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.

Power Engrs.  
Continued  
Technical Support  
GIS/CityWorks/  
Granite XP

It was moved by Mr. Mullen, seconded by Ms. Nichols, and unanimously carried to approve this Professional Services proposal.

3. Approval Of The Following License Agreement For The Wastewater Tunnel Project:

License Agreement  
PHMC  
Morton Homestead

<u>Parcel No.</u>	<u>Owner</u>	<u>Type of Easement</u>	<u>Cost</u>
33-00-00852-01	PA Historical & Museum Commission	Subterranean	None

(Property is known as Morton Homestead located in Morton Homestead State Park, 100 Lincoln Avenue, Prospect Park, PA 19076)

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 Ms. Sage, and unanimously carried to approve the License Agreement with the PA Historical & Museum Commission for a subterranean easement at the property listed above.

4. Authorization To Purchase:

Authorization to  
Purchase

At the request of Mr. Kern, Mr. Rice stated that he had reviewed the purchase through the Keystone Purchasing Network. This is actually a Susquehanna County PA cooperative purchasing group that does many projects in the eastern part of the state. He recommended approval of all three purchases listed below.

- Purchase Of Replacement Carbon For The Activated Carbon-Based Odor Adsorber System At DELCORA's Western Regional Treatment Plant Through A Sole Source Vendor (AFTERMARKET™, ECS Municipal – Quote Dated February 7, 2023) – Total Amount Not To Exceed \$31,880.00 (Operating Funds).

Replacement Carbon  
For Odor Adsorber  
System

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 above purchase.

- Purchase Of One GapVax 2023 MC2008-3S3X Combination Jet/Vac On A Mack Granite 64FR 66,000 LB GVWR Chassis Via SOURCEWELL Contract No. 101221-GPV Dated January 13, 2023 – Total Amount Not To Exceed \$531,970.00 (Capital Funds).

One GapVax Combo  
Jet/Vac Truck

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. Mullen, and unanimously carried to approve the above purchase.

- Purchase Of Construction Services And Materials For Building B-3 New UPS Install Via The Keystone Purchasing Network eziQC@ Contract (Contractor S.J. Thomas Company, Inc. – Proposal Dated October 28, 2022 – JOC Contract No. 2021JOCC-47) – Total Amount Not To Exceed \$2,320,442.58 (Capital Funds).

B-3 New UPS Install  
Construction Svcs. &  
Materials

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. Sage, and unanimously carried to approve the above purchase.

EXECUTIVE SESSION: There was no Executive Session.

EXECUTIVE  
SESSION

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

ADJOURNMENT

ATTEST  
Secretary