

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

MINUTES

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

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, March 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, and Cummings were also present.

PUBLIC ATTENDANCE: The following were present: Robert Young, S. Vinci, 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 Ms. Sage, seconded by Ms. Nichols, and unanimously carried that the minutes of the Regular Meeting of February 21, 2023, 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 March 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 March 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 March 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 March 15, 2023. There were no additions to the meeting minutes.

Finance

e. Pension. Mr. Kern stated that there was no formal meeting of the Pension Committee in March and had nothing to report at this time.

Pension

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

Legal Liaison

As reported last month, the bankruptcy judge was going to be hearing the City of Chester's request for a Stay of proceedings and that hearing was held on February 27th. The judge determined the Stay is in effect. That means that the PUC proceedings remain in abeyance at the current time. The judge did ask Aqua and the City of Chester to decide upon a valuation on the reversionary interests. This is a case that Chester has brought against the Authority regarding the contract when assets were sold to DELCORA when the Authority first started. The Authority was given sixty days to figure out what that amount was. The judge has now asked the three parties to begin discussion regarding these reversionary interests again. There should be more to report next month as the three parties work to resolve that issue. For right now, the PUC proceedings are in abeyance as the bankruptcy case hasn't even begun.

2. CHAIRMAN: Mr. Kern stated that there was a meeting held last Tuesday with Marc Lucca and several other individuals from Aqua regarding the Philadelphia Water Department's (PWD) notification of rate changes. In addition to himself, Mr. Willert, Mr. DiSantis, Mr. Cherico and Mr. Garner also attended this meeting. Mr. Kern stated that Aqua received the same notification letter from PWD regarding the proposed rate change. Aqua sent a series of questions to PWD. PWD's response was reviewed at the meeting and to inquire as to what DELCORA's plan would be. We advised Aqua that we had two concerns at this time: 1) that the proposed rates have not yet been approved by the Water Department's Rate Board, and 2) that we only have five years left on our service agreement with PWD. Mr. Kern requested a brief Executive Session be held at the end of the meeting to discuss the Authority's response to the notification.

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 reported on one issue that recently arose. There is a claim that the Authority's insurance council is handling involving the Chester Water Authority, DELCORA, and water meter readings. This case will go to trial on March 27th unless it gets settled prior to that date. The claim involves the Days Inn and a dispute over water readings. The insurance council is defending both authorities. Mr. Rice is monitoring the case. He had no other items to report.

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 February 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 \$3,868,480.99 for the month of February 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. 2 – Increase In Contract Amount To Account For Add Alternate Bid Items And Contractor Change Orders – Increase In Contract Amount of \$473,853.88 (Standard Pipe Services, LLC). Mr. Kern stated that this contract change order was not previously discussed at the Operations and Engineering Committee meeting.

Contract No.
SW-2104-C
SWDCMA Sewer
I&I Removal
CO #2

Mr. Hurst explained that this change order is for additional I&I work being done in the Southwest Authority system using the previously bid unit pricing. Unit item quantities needed to be adjusted due to the additional scope of the work. In response to a question from Ms. Nichols requesting a summary of the I&I work, Mr. Hurst stated that I&I work is being done throughout the county in various ways and one of our Consent Decree requirements is to sponsor and lead the effort for a comprehensive I&I program, which we have done. We are also required to submit an annual report and we are in the final stages of editing the Year 3 report which is due April 1st. He offered to circulate that report as it captures everything that is being done.

Mr. Hurst also stated that the Year 1 report identified two dozen catchment areas which showed unusually high infiltration. Since the first year report, smoke testing was performed and this year's report analyzes the smoke testing results and many defects were found. This past year, we collected flow data from areas farther out, such as Radnor-Haverford-Marple (RHM), so it can be analyzed more carefully to find "hotspots". In the Southwest Authority area, locations were identified where they needed I&I work to be done which primarily consisted of cleaning, televising, and doing lining where needed. In parallel with our I&I analysis, he stated that Middletown Township did their own smoke testing and found many defects in their system. Mr. Hurst stated that David Burke of the PADEP is very satisfied with the progress of the program. He reminded the Board of similar I&I work previously done in Rose Valley that corrected the leaky system that nearly eliminated the sanitary sewer overflows (SSOs).

Ms. Nichols also asked if the cost of the smoke testing portion of the I&I study was the responsibility of the authorities or the municipalities. Mr. Hurst responded that the Eastern conveyance authorities paid for their own smoke testing and it remains to be seen how they intend to pay for the needed improvements. DELCORA's contribution is to administer the program and perform the I&I analysis which is done by our consultant, Brown and Caldwell. There is a Line Item in our Long Term Control Plan for carrying that cost. He stated that DELCORA anticipates assisting in obtaining grant money or low interest loan funds to support the required I&I remediations.

It was the consensus of the Board to recommend approval.

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

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:

It was moved by Mr. Moss, seconded by Mr. Knapp, 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 \$2,939,618.75 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.

PAYMENT OF
BILLS

AUTHORIZATION TO ADVERTISE CONTRACTS:

AUTHORIZATION
TO ADVERTISE
CONTRACTS

• Contract No. PR-2301-C – Beech Street Pump Station Force Main Replacement. Mr. Kern stated that this contract advertisement was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

Contract No.
PR-2301-C
Beech St. PS FM
Replacement

It was moved by Ms. Sage, seconded by Mr. Mullen, and unanimously carried to advertise this contract.

AWARD OF CONTRACTS:

AWARD OF
CONTRACTS

• Contract No. P2023-01 – Lawn Mowing And Maintenance. Mr. Kern stated that there were two bids received and that the lowest qualified bidder was Deerfield Mowing and Property Maintenance, Inc. with a bid amount of \$39,485.00 and was in compliance with DELCORA's requirements; however, Deerfield failed to submit the following required documents: the Financial Statement from its Surety and their current Financial Statement as required by the EEF Statement. These omissions are minor and correctible. Deerfield may receive this Award pending receipt of these two missing documents.

Contract No.
P2023-01

It was moved by Mr. Knapp, seconded by Ms. Nichols, and unanimously carried to award Contract No. P2023-01 – Lawn Mowing & Maintenance to Deerfield Mowing and Property Maintenance in the amount of \$39,485.00 pending receipt of the omitted documents within ten days of Notice of Award.

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. Bradford Engineering – Proposal Dated March 13, 2023 – For Professional Engineering Services To Provide Additional I&I Work In Middletown Township Related To The CCTV Inspection And Repair Project In Edgmont, Middletown, And Rose Valley – Total Additional Amount Not To Exceed \$71,890.00 (Capital Funds). Mr. Kern stated that this item was not previously discussed at the Operations and Engineering Committee meeting.

Bradford Eng.
Additional I&I Work
In Middletown Twp.

Mr. Hurst explained that this proposal is similar to the Southwest Authority project. This project is in Middletown, Edgmont, and Rose

Valley to perform I&I improvement work and this proposal is for additional scope of the I&I work that needs to be addressed in Middletown Township.

It was the consensus of the Board to recommend approval.

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

2. Authorization for Professional Services: (Operating Funds)

Authorization for
Professional
Services

A. Howden – Proposal Dated March 2, 2023 – For Professional Services – To Perform Class I And Class II Services On Turblex/Howden Blowers – Total Amount Not To Exceed \$45,000.00 (Operating Funds). Mr. Kern stated that approval of this item will be postponed until a decision is made as to whether to classify this as a 'Purchase' or a 'Professional Service'. Following discussion, it was the consensus of the Board to table approval of this item.

Howden
Perform Services
On Turblex/Howden
Blowers

It was moved by Mr. Knapp, seconded by Mr. Mullen, and unanimously carried to table approval of this proposal at this time.

B. Pennoni Associates, Inc. – Proposal Dated March 8, 2023 – For Professional Engineering Services For Engineering Assessment And Original Cost – Update – Total Additional Amount Not To Exceed \$4,000.00 (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.

Pennoni
Additional Svcs.
Update Engr.
Assessment &
Original Cost

Ms. Billings raised concern over spending any more money on a valuation until Chester's request for reversionary interests are quantified. Mr. Hurst agreed and stated that the actual analysis associated with this will be placed on hold.

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

4. Authorization To Purchase:

Authorization to
Purchase

• ENVIREP – Proposal Dated January 23, 2023 – To Purchase 20 Omni-Site Auto Dialers Through The PA COSTARS Contract #016-80 – Total Amount Not To Exceed \$82,876.00 (Capital Funds).

ENVIREP
20 Auto Dialers

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 above purchase.

- XYLEM – Proposal Dated February 18, 2023 – For A Sole Source Purchase Of Parts To Rebuild A Pump At The Central Delaware Pump Station – Total Amount Not To Exceed \$52,709.00 (Capital Funds).

XYLEM
Parts For
Pump Rebuild At
CDPS

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

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

EXECUTIVE
SESSION

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

ADJOURNMENT

ATTEST
Secretary