

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

MINUTES

MAY 17, 2023 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Wednesday, May 17, 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, S. Garner, Hurst, Lehman, Lenton, Rice, Willert, and Mesdames Amadio, Bonnett, Caulk, and B. Garner were also present.

PUBLIC ATTENDANCE: The following were present: Samantha Newell and Steve Vinci. 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 Mr. Moss, and unanimously carried that the minutes of the Regular Meeting of April 18, 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 May 8, 2023. She noted one item requiring Board action would be considered later in the agenda. 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 May 8, 2023. There were no additions to the meeting minutes. Strategic Planning & Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on May 9, 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 May 10, 2023. 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 in April and had nothing to report at this time. Mr. Kern inquired as to when the next Pension meeting would be held. Mr. Cherico responded that the Pension Committee will meet again in August.

Pension

f. Legal Liaison. Ms. Billings stated that Mr. Rice requested an Executive Session to discuss a matter of pending litigation. She reported that there was another hearing before the bankruptcy judge this past Monday that she attended along with DELCORA's Bankruptcy Attorney and that there was no consensus on the valuation of the reversionary assets. This matter continues to be in dispute between the Chester City Receiver and DELCORA, as well as Aqua. Pending resolution of the Chester City bankruptcy issues, the judge issued a stay on all other proceedings, such as the PUC hearings and the other various cases in state court. She noted Ms. Newell is present today if any one has any questions.

Legal Liaison

2. CHAIRMAN: Mr. Kern mentioned that Delaware County is having their second annual Sustainability Conference on June 8<sup>th</sup> at Widener University and he will provide further information if any one is interested. He noted that there is also a link available if you prefer to live-stream the conference.

CHAIRMAN

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

EXECUTIVE  
DIRECTOR

Ms. Nichols asked if DELCORA would be attending the conference. Mr. Kern responded that we would not be attending. He just wanted to make everyone aware of the event.

4. DIRECTOR OF ENGINEERING: Mr. Hurst stated that there was one addition to the written report. He noted that a significant bypass pumping operation took place to perform much needed repairs on existing infrastructure. The repairs were completed and the system was back online by the end of last week. He and Mr. Willert commended the cooperative efforts of the operations, central maintenance and sewer maintenance crews in completing this major task.

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 requested a brief Executive Session to discuss an item he has been working on and the bankruptcy matter. SOLICITOR

Ms. Newell added that everything regarding the bankruptcy issue is in a holding pattern at this time.

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 April 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 \$4,091,773.01 for the month of April 2023 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. SEW-2007-C – CCTV Inspection And Repair Project Egmont, Middletown And Rose Valley – Change Order No. 2 – Decrease In Contract Price And Increase In Contract Days To Close Out Contract – Decrease In Contract Amount Of \$133,935.40 And Increase In Contract Time By 59 Days (Mobile Dredging & Video). Contract No. SEW-2007C  
CCTV Inspection & Repair  
Egmont, Middletown & Rose Valley - CO #2

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.

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

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL: CONTRACT CLOSEOUT

• Contract #SEW-2007-C – CCTV Inspection and Repair Project Egmont, Middletown and Rose Valley (Mobile Dredging & Video). Contract No. SEW-2007C  
CCTV Inspection & Repair  
Egmont, Middletown & Rose Valley

Mr. Kern stated that this 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. Nagle, and unanimously carried to approve this contract closeout and final payment.

4. PAYMENT OF BILLS:

PAYMENT OF  
BILLS

It was moved by Mr. Knapp, seconded by Mr. Moss, 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 \$551,948.72 and the Sewer Revenue Bond Series of 2023 in the amount of \$1,269,031.42 are hereby approved; and (b) the requisitions on the Renewal & Replacement Fund and 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: Mr. Kern stated that there were no Authorizations to Advertise Contracts at this time.

AUTHORIZATION  
TO ADVERTISE  
CONTRACTS

AWARD OF CONTRACTS:

AWARD OF  
CONTRACTS

• Contract No. P2023-05 – Sodium Bisulfite (38%). Mr. Kern stated that Coyne Chemical Company, Inc. was the lone bidder with a bid amount of \$81,162.00 and was in full compliance with DELCORA's requirements.

Contract No.  
P2023-05

It was moved by Mr. Mullen, seconded by Mr. Monaghan, and unanimously carried to award Contract No. P2023-05 to Coyne Chemical Company Inc. in the amount of \$81,162.00.

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

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

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

3. Authorization To Purchase:

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| <ul style="list-style-type: none"><li>• DRV INC. – Quote #18153 Dated April 12, 2023 – For Purchase Of A Variable Frequency Drive For The Central Delaware County Pump Station Through PA COSTARS #016-E22-197 – Total Amount Not To Exceed \$47,536.78 (Capital Funds).</li><li>• DRV INC. – Quote #18171 Dated April 17, 2023 – For Purchase Of A Variable Frequency Drive For The Darby Creek Pump Station Through PA COSTARS #016-E22-197 – Total Amount Not To Exceed \$72,473.00 (Capital Funds).</li><li>• FYBROC Pump Parts – Quote #00089508 Dated April 21, 2023 – For Purchase Of Scrubber Water Pump Impellers And Repair Parts Through Sole Source Vendor (SUNAIR Company) – Total Amount Not To Exceed \$42,451.83 (Capital Funds)</li><li>• LEVAN Machine – Quote #30499 Dated April 3, 2023 – For Purchase And Installation Of Four Steel Utility Bodies, Spray Liners, And Running Boards Through PA COSTARS #025-E22-435 – Total Amount Not To Exceed \$43,904.00 (Capital Funds)</li><li>• Duke’s Root Control, Inc. – Quote Dated March 17, 2023 – For Purchase Of Sanitary Sewer Mainline Smoke Testing Program Through PA COSTARS #016-E22-232 – Total Amount Not To Exceed \$82,054.75 (Capital Funds)</li><li>• Geiger Pump &amp; Equipment Company – Quote #Q-230414-11531-T3-0 Dated April 14, 2023 – For Purchase Of Polychem Flight Chain, Sprockets And Wear Strips For Primary Tanks Through PA COSTARS #016-E22-257 – Total Amount Not To Exceed \$44,161.94 (Capital Funds)</li><li>• Iron Horse Environmental – Quote Dated April 27, 2023 – For Purchase Of Three Turblex Control Panel Upgrade Packages Through The PA COSTARS Contract – Total Amount Not To Exceed \$228,000.00 (Capital Funds)</li><li>• S. J. Thomas Company, Inc. – Proposal Dated May 5, 2023 – For Purchase Of Labor And Materials For Industrial Steel Painting On Several Structures At The W RTP Through The Keystone Purchasing Network – Total Amount Not To Exceed \$425,000.00 (Capital Funds)</li><li>• Iron Horse Environmental – Proposal Dated May 12, 2023 – For Purchase of Primary Clarifier Spare Parts Through PA COSTARS #23-0508-EV – Total Amount Not To Exceed \$672,678.11 (Capital Funds)</li></ul> | <p>Authorization to Purchase</p> <p>DRV<br/>Variable Frequency Drive for CDPS</p> <p>DRV<br/>Variable Frequency Drive for DCPS</p> <p>FYBROC<br/>Scrubber Water Pump Impellers &amp; Repair Parts</p> <p>LEVAN Machine<br/>4 Steel Utility Bodies For Trucks</p> <p>Duke’s Root Control<br/>Smoke Testing Program</p> <p>Geiger Pump &amp; Eqpt.<br/>Flight Chain/Sprockets/<br/>Wear Strips-Primary Tanks</p> <p>Iron Horse Envrnmntl.<br/>3 Turblex Control Panel Upgrade Pkgs.</p> <p>SJ Thomas Co.<br/>Structural Steel Painting at W RTP</p> <p>Iron Horse Envrnmntl.<br/>Primary Clarifier Spare Parts</p> |
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Mr. Kern stated that these items 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 Mr. Monaghan, and unanimously carried to approve all of the above purchases.

Regarding the Levan Machine purchase, Ms. Nichols asked who the vendor is for the installation of the equipment. Mr. DiSantis responded that Levan Machine supplies the parts and installs them on the trucks. Also, Ms. Nichols asked if we ever buy equipment for outside contractors for capital projects. Mr. DiSantis responded that, typically, we do not purchase equipment for projects that are bid. However, there could be exceptions made if there are very long lead times involved for ordering and delivery of equipment. One example was a project about nineteen years ago where we had to order three \$1 million blowers directly from Turblex instead of ordering through the contractor due to the very long lead time. That decision was agreed upon by DELCORA, the contractor and the solicitor.

4. Resolution No. 2023-01 – Retirement Of William Smith – Approval Of Resolution. Mr. Kern read aloud the resolution to those present. Resolution No. 2023-01

It was moved by Ms. Nichols, seconded by Ms. Sage, and unanimously carried to approve Resolution No. 2023-01.

5. Approval of 2022 Audit of DELCORA Financial Statements. Mr. Kern stated that this item was discussed at the Finance Committee meeting and it was the consensus of the committee to recommend approval. Mr. Nagle noted that the Board is “accepting” the audit. Following discussion, Mr. Rice recommended the motion be made to accept and approve the audit. 2022 Audit Approval

It was also noted that the complete audit gets uploaded to the DELCORA website, is emailed to interested parties, is sent to the DCED (Dept. of Community and Economic Development), and is sent to EMMA (Electronic Municipal Market Access). A condensed version of the audit is also advertised in the Delaware County Daily Times each year.

It was moved by Mr. Nagle, seconded by Mr. Knapp, and unanimously carried to accept and approve the 2022 Audit.

EXECUTIVE SESSION: An Executive Session was held to discuss pending litigation. EXECUTIVE SESSION

ADJOURNMENT: It was moved by Ms. Billings, seconded by Mr. Mullen, and unanimously carried to adjourn the regular meeting at 4:15 P.M. ADJOURNMENT

ATTEST  
Secretary