

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

MINUTES

JUNE 20, 2023 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, June 20, 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, Hurst, Lehman, Lenton, Rice, Willert, and Mesdames Amadio, Bonnett, Caulk, and Garner were also present.

PUBLIC ATTENDANCE: The following were present: Michael Clarke and Samantha Newell, 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. Billings, seconded by Mr. Moss, and unanimously carried that the minutes of the Regular Meeting of May 17, 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 June 12, 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 June 12, 2023. There were no additions to the meeting minutes. Strategic Planning & Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on June 13, 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 June 14, 2023. 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 provided the following updates:

Legal Liaison

- An Executive Session will be held at the conclusion of the meeting to review pending legal matters.
- All PUC action relating to approval or denial of the sale to Aqua remains on hold (is stayed) due to the May 23rd ruling of the bankruptcy judge. Aqua filed an appeal of the decision but no date for a hearing has been set.
- A hearing has been scheduled for October in Delaware County Common Pleas Court relating to DELCORA's request for declaratory judgment and that is in answer to Aqua's preliminary objection.
- On June 16, 2023, Aqua filed a request in Delaware County Common Pleas Court for declaratory and injunctive relief relating to DELCORA's current discussion on renewal of the contract with the Philadelphia Water Department. Aqua is requesting to participate in those discussions and in approving the renewed contract.

2. CHAIRMAN: Mr. Kern announced that Michelle Jackson received the 2023 Chester Upland Community Partnership Award. On behalf of the Board, he congratulated Ms. Jackson and the support staff for their efforts to the community outreach program and its success. He stated that he is currently attending the Pennsylvania Water Environment Association (PWEA) conference in Hershey and he congratulated Irene Fitzgerald on receiving the Ted Moses High Hat Award which means she is now a member of the Sludge Shoveler's Society. Mr. Kern also noted how important it is for plant and office staff to join professional associations to further their personal and professional development, and to learn about the latest advances in the industry.

CHAIRMAN

3. EXECUTIVE DIRECTOR: Mr. Willert stated that there were no additions to the written report. He congratulated Michelle Jackson and the team for the Chester Award, and Irene Fitzgerald on her well-deserved award presented to her at the Hershey conference. He also mentioned that work continues on the Request for Proposals (RFP) for the Chester Bankruptcy. A draft is currently under legal review and is expected to be sent to the Board by Friday. After much discussion, it was also decided that the RFP should be separated into two RFPs; one to define the assets and the other to determine

EXECUTIVE
DIRECTOR

the value of those assets. It's a very complex issue and will take some time to be thorough.

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 the complaint that was filed, mentioned earlier by Ms. Billings, will be discussed in Executive Session. He had no other items to report. SOLICITOR

Mr. Clarke had no items to report other than what will be discussed in Executive Session.

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 May 2023.

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 \$4,659,016.75 for the month of May 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. TCR-2103-O – Plant And Facilities Services – Change Order No. 2 – Increase In Contract Amount Of \$1,200,000.00 (MOR Construction Services) (Operating Funds). 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. He noted that this is an increase in quantities of hatches. Contract No. TCR-2103-O Plant/Facilities Svcs. CO #2

It was moved by Mr. Moss, seconded by Mr. Nagle, 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. Sage, 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 \$129,754.63 and the Sewer Revenue Bond Series of 2023 in the amount of \$745,403.77 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: 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. ANDRIS Consulting LLC – Proposal Dated June 9, 2023 – For Professional Services For Continued Support For Program Management And Project Delivery Support Associated With Large Capital Programs Currently Planned (Term 7/1/2023 To 7/1/2026) – Total Amount Not To Exceed \$382,500.00 (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.

ANDRIS
Continued Support

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

2. Authorization for Professional Services: (Operating Funds)

Authorization for
Professional
Services

A. CEMTEK Systems – Proposal Dated May 12, 2023 – For Professional Services To Provide CEMS Maintenance Service (Quarterly, Semi-Annual And Annual) – Total Amount Not To Exceed \$10,800.00 (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.

CEMTEK
CEMS Maintenance
Service

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

B. CEMTEK Systems – Proposal Dated May 12, 2023 – For Professional Services To Provide Four (4) CGA Gases For One Year’s Time And To Perform The Audit – Total Amount Not To Exceed \$6,200.00 (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.

CEMTEK
Certified Gas Audit

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

C. Chavond-Barry Engineering – Proposal Dated May 22, 2023 – For Professional Engineering Services For HCl Emissions Retest From 2023 Stack Testing – Total Amount Not To Exceed \$99,000.00 (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.

Chavond-Barry
HCl Emissions
Retest

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

D. AquaLaw PLC – Proposal Dated May 30, 2023 – For Professional Services To Provide Continued Assistance For The Long Term Control Plan Update, Consent Decree, And Permitting Matters – Total Additional Amount Not To Exceed \$50,000.00 (Operating Funds) (AQUALAW is not affiliated with Aqua PA). 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.

AquaLaw
Continued
Assistance

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

E. Cityworks, Inc. – Proposal Dated May 8, 2023 – For Professional Services To Provide Annual Software Support And Mobile Licensing For Cityworks GIS System (July 1, 2023 – June 30, 2024) – Total Amount Not Exceed \$35,838.62 (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.

Cityworks
GIS System
Support/Licensing

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

F. EMA, Inc. – Proposal Dated June 6, 2023 – For Professional Services To Develop A Preliminary Design And Implementation Plan For A Software Extension To The eOPS System – Total Amount Not

EMA
Prelim. Design
Software Extension
To eOPS System

To Exceed \$16,715.00 (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.

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

G. Brown And Caldwell – Proposal Dated March 28, 2023 – For Professional Engineering Services To Provide Continued Local Limits Development For The WRTP – Total Additional Amount Not To Exceed \$10,000.00 (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.

Brown & Caldwell
Continued Local
Limits Development

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

H. Environmental Service & Equipment Company – Proposal Dated March 28, 2023 – For Professional Services To Provide Parts For Evaporator Service Inspection, Includes Removal, Re-Assembly, Re-Install, And Final Operation Check Of Unit – Total Amount Not To Exceed \$38,619.00 (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.

Environmental Svc.
& Eqpt.
Evaporator Parts &
Inspection

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

I. Therm-A-Cor Consulting, Inc. – Proposal Dated June 15, 2023 – For Professional Engineering Services To Provide Investigatory Combustion Engineering Support Services for The Multiple Hearth Incinerators At The WRTP – Total Amount Not To Exceed \$8,000.00 (Operating Funds)(added to agenda). Mr. Kern stated that this item was not previously discussed at the Operations and Engineering Committee meeting. Mr. Hurst stated that the purpose of this proposal is to provide us with an additional technical resource as a combustion engineer to help us optimize the incinerator system. Therm-A-Cor was referred to us by NESTEC, the company that fabricated our RTO. This firm is a local resource and a national expert.

Therm-A-Cor
Combustion
Engineering
Support

It was the consensus of the Board to recommend approval.

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

3. Authorization To Purchase:

Authorization to
Purchase

- Edwin Elliot & Company – Quote Dated May 11, 2023 – For Purchase Of Four (4) 36 Inch And One (1) 42 Inch Knife Gate Valve Operators With Hand Stations Through PA COSTARS #016-E23-297 – Total Amount Not To Exceed \$45,925.00 (Capital Funds).

Edwin Elliot
Knife Gate Valve
Operators

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.

- LDX Solutions – Quote Dated May 25, 2023 – For Purchase Of One (1) PowerPlus 480v-Series 6.1 Through A Sole Source Vendor (LDX Quote #QT-00320-Rev 1) – Total Amount Not To Exceed \$38,727.00 (Capital Funds).

LDX Solutions
PowerPlus 480V –
Series 6.1
Rectifier

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.

- Reiner Pump Systems – Quote Dated June 8, 2023 – For Purchase Of Four (4) Sulzer ABS Submersible Pumps For The WRTP, One (1) Sulzer ABS Drypit Submersible Pump For The Central Delaware Pump Station, And One (1) Sulzer ABS Drypit Submersible Pump For The Muckinipates Pump Station Through PA COSTARS Vendor #359913 – Total Amount Not To Exceed \$625,125.00 (Capital Funds).

Reiner Pump
Systems
Submersible Pumps

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.

4. Resolution No. 2023-02 – Retirement Of Bernadette Bohn – Approval Of Resolution. Mr. Kern stated that this item was discussed at the Human Resources and Administration Committee meeting, and it was the consensus of the committee to recommend Board approval. Mr. Kern read the resolution aloud.

Res. No.
2023-02

It was moved by Ms. Nichols, seconded by Ms. Sage, and unanimously carried to adopt Resolution 2023-02.

EXECUTIVE SESSION: There was an Executive Session held to discuss several legal matters. EXECUTIVE SESSION

ADJOURNMENT: It was moved by Ms. Billings, seconded by Mr. Nagle, and unanimously carried to adjourn the regular meeting after the Executive Session at 4:19 P.M. ADJOURNMENT

ATTEST
Secretary