

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

MINUTES

JULY 18, 2023 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, July 18, 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, and Mesdames Billings, Nichols, and Sage, Board Members, constituting a quorum were present. ROLL CALL

Messrs. DiSantis, S. Garner, Hurst, Lehman, Nelson, Willert, and Mesdames Amadio, Bonnett, Caulk, and B. Garner were also present.

PUBLIC ATTENDANCE: The following were present: Traci (no last name identified). There were no other members of the public 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. Billings, and unanimously carried that the minutes of the Regular Meeting of June 20, 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 July 10, 2023. There were no additions to the meeting minutes. Human Resources and Administration

b. Strategic Planning and Goals. In Mr. Nagle's absence, Mr. Kern reported that the Committee met on July 10, 2023. There were no additions to the meeting minutes. Strategic Planning & Goals

- c. Operations and Engineering. Mr. Mullen stated that the Committee met on July 11, 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 July 12, 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. He did mention that the committee will meet on August 9th. Pension
- f. Legal Liaison. Ms. Billings had nothing to report at this time but did note that an Executive Session will be held at the conclusion of the regular meeting to discuss a pending legal matter and that Solicitor Peter Nelson will lead that session. Any action required on an item will be addressed at the August meeting. Legal Liaison
2. CHAIRMAN: Mr. Kern stated that he had nothing to report at this time. CHAIRMAN
3. EXECUTIVE DIRECTOR: Mr. Willert stated that there were no additions to the written report; however, he did provide an update on the Request for Proposals (RFP). He reported that the RFP for the reversionary assets in connection with the Chester Bankruptcy is complete and will be sent out to several consultants tomorrow. Responses will be due by the August meeting and awarded at the September meeting. He noted that many resources, such as historical maps and GIS files, will be provided to the consultants to make our cost as efficient as possible. The anticipated timeline to complete this task is about six months from date of award. In response to a question from Ms. Nichols, Mr. Willert stated that this RFP includes only the Chester asset valuation in connection with the Chester litigation. Another RFP will be done for a full valuation of all of the Authority's assets. 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. Nelson had no items to report other than what will be discussed in Executive Session. SOLICITOR
- OPERATING FUND PAYMENTS: OPERATING FUND PAYMENTS
1. CHIEF FINANCIAL OFFICER REPORT: In Mr. Cherico's absence, Mr. Garner 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 June 2023.

It was moved by Mr. Knapp, seconded by Ms. Billings, and unanimously carried that the statement and the list of bills in the amount of \$4,357,092.63 for the month of June 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: Mr. Kern stated that there were no Contract Change Orders at this time.

CHANGE ORDERS

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL:

CONTRACT
CLOSEOUT

• Contract No. SEW-2003-CO – Paving Restoration Services (A. F. Damon, Inc.). Mr. Kern stated that this contract close out was discussed at the Operations and Engineering Committee meeting, and it was the consensus of the committee to recommend Board approval.

Contract No.
SEW-2003-CO
Paving

It was moved by Mr. Mullen, seconded by Ms. Sage, and unanimously carried to approve this contract close out and final payment.

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 Renewal & Replacement Fund in the amount of \$938,362.84 and the Sewer Revenue Bond Series of 2023 in the amount of \$827,857.93 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.

Mr. Kern also noted that he receives and reviews the spreadsheet of expenses and that report is available to any Board member.

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. Corrosion Probe, Inc. – Proposal Dated July 7, 2023 – For Professional Services For Continued On-Call Services For Corrosion And Materials Engineering, Testing, And Consulting Services Including A Special Focus On The Small And Large Pipes Within The Four Large Remote Pump Stations – Total Additional Amount Not To Exceed \$125,000.00 (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.

Corrosion Probe
Continued On-Call
Services – Focus on
Pipes At 4 Large
Remote PS

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

2. Authorization for Professional Services: (Operating Funds)

Authorization for
Professional
Services

A. Chavond-Barry Engineering – Proposal Dated July 13, 2023 – For Professional Engineering Services For An Extra Run Of HCl Emissions Retest On Main Stack – Total Amount Not To Exceed \$15,400.00 (Operating Funds)(added to agenda). Mr. Kern stated that this item was not previously discussed at the Operations and Engineering Committee meeting. Mr. DiSantis explained that during the recent stack testing, DELCORA failed to achieve at least 85% of the rated capacity of the incinerator. We were feeding at a rate higher than 85%; however, to get the final determination of actual tons that are burned, you subtract the solids that are in the filtrate. The solids in the filtrate were higher than normal during that run and when we subtracted what was about a little over six tons of solids out of the charging rate to the incinerator, we no longer met the 85%. We just missed it at 84%, so we have to re-test. We normally do not get filtrate that high; normally it is three to four tons. This is the reason for the additional test.

Chavond-Barry
Extra Run of HCl
On Main Stack

It was the consensus of the Board to recommend approval.

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

3. Resolution No. 2023-03 – Authorizing The Disposition Of Purchase Orders Dated 1982 Through 1996 And Equipment Maintenance Manuals For Equipment That Has Been Demolished; Air Permit Related Documentation Prior To 2011 Or 2013 In Accordance With The Air Permit And Authorities Act, Respectively. 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.

Res. No. 2023-03

It was moved by Mr. Mullen, seconded by Ms. Sage, and unanimously carried to adopt Resolution 2023-03.

Ms. Nichols questioned the two dates mentioned for the Air Permit related documents, 2011 or 2013. Mr. DiSantis explained that the years are determined based on the two different regulations that govern disposal of these documents. One is the Title V Air Permit and the other is the Municipal Records Act. It depends upon what the documents are and which regulation governs so the resolution was written as such that it would cover both circumstances.

4. Authorization To Purchase – Emergency Repair at Darby Creek Pump Station:

Authorization to Purchase
Emergency

• Bates Brothers Mechanical – Invoice Dated July 11, 2023 For The Emergency Purchase And Installation Of A Hydraulic Pump–Oil Piping Replacement – Total Amount Not To Exceed \$27,627.99 (Capital Funds) (added to agenda). Mr. Kern stated that this item was not previously discussed at the Operations and Engineering Committee meeting. Mr. DiSantis explained that there was a failure of an original galvanized line that was a pressurized hydraulic line used to open and close the large valves at the Darby Creek Pump Station. About three weeks ago, the hydraulic line leaked, lost about 500 gallons of fluid narrowly avoiding an overflow situation. This was an emergency repair reviewed and approved by the Solicitor, Mr. Kern and others in accordance with the Authority's Emergency Procurement/Purchase Policy adopted by the Board in 2013; therefore, not subject to the normal bidding requirements.

Bates Brothers
Mechanical
Emergency Purchase
& Installation Of
Hydraulic Pump-Oil
Piping Replacement
At Darby Creek PS

Mr. Kern read the motion prepared by the Solicitor:

“In accordance with the June 16, 2013, emergency purchase guidelines within the Procurement/Purchasing Policy of the Authority, I move to approve the July 11, 2023 invoice from Bates Brothers Mechanical in the amount of \$27,627.99 for the repair of the Darby Creek Pump Station Pump #3 due to the potential for overflows to the Darby Creek and the Heinz National Wildlife Refuge resulting from heavy rainfall.”

It was moved by Mr. Moss, seconded by Mr. Mullen, and unanimously carried to approve the above emergency purchase.

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

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

ATTEST
Secretary