

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

MINUTES

AUGUST 15, 2023 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, August 15, 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, Byrd, Caulk, B. Garner, and Jackson were also present.

PUBLIC ATTENDANCE: The following were present: Jeanne Kress, Kearn Warren, Mike Ewall, Alexis Rodriguez, Marc Lucca, Joe Buda, Michael Clarke, Samantha Newell, and Melissa Lutz. 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 Mr. Nagle, seconded by Ms. Nichols, and unanimously carried that the minutes of the Regular Meeting of July 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 August 7, 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 August 7, 2023. There were no additions to the meeting minutes. Strategic Planning & Goals

- c. Operations and Engineering. Mr. Mullen stated that the Committee met on August 8, 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 August 9, 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 the Committee met on August 9, 2023. He noted one item requiring Board action would be considered later in the agenda. There were no additions to the meeting minutes. Pension
 - f. Legal Liaison. Ms. Billings had nothing to report at this time. She noted the attorneys are present if anyone has any questions for them. 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. 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 noted for the record that there was an Executive Session held on August 7th to discuss litigation and other legal matters. 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 July 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 \$3,837,479.18 for the month of July 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: Mr. Kern stated that there were no Contract Change Orders at this time.

CHANGE ORDERS

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL: Mr. Kern stated that there were no Contract Close-Out and Final Payments at this time.

CONTRACT
CLOSEOUT

4. PAYMENT OF BILLS:

PAYMENT OF
BILLS

It was moved by Mr. Moss, seconded by Mr. Nagle, 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 \$472,771.62 are hereby approved; and (b) the requisitions on the Renewal & Replacement Fund 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. P2023-07 – Unleaded Gasoline And Diesel Fuel With Tracking System
- Contract No. P2023-08 – Liquid Chlorine In One Ton Cylinder
- Contract No. P2023-09 – Liquid Caustic Soda
- Contract No. P2023-10 – Phosphoric Acid

Contract No.
P2023-07

Contract No.
P2023-08

Contract No.
P2023-09

Contract No.
P2023-10

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 Ms. Billings, seconded by Ms. Nichols, and unanimously carried to advertise all of the above 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. Environmental Service & Equipment Company – Proposal Dated August 10, 2023 (Quote #1622) – For Professional Services To Provide Labor And Materials Needed For Removal Of Existing Equipment And Installation Of New Equipment (Hydro 10,000 PPD Chlorinator and Vaporizer System) At The WRTP – Total Amount Not To Exceed \$21,645.00 (PA COSTARS #016-125, Vendor #372655) (Capital Funds) (added to agenda). Mr. Kern stated that this item was not previously discussed at the Operations and Engineering Committee meeting. Mr. DiSantis noted that several months ago, the Board approved a proposal from Environmental Service and Equipment Company to repair and rebuild our chlorinator evaporator systems, one unit at a time. He stated that this proposal for installation and the purchase of new equipment, addressed later in the agenda, are needed now due to a total failure of a unit of our current chlorinator evaporator system required for disinfection. He also stated that there are still plans to rebuild the other units.

Environmental Service & Equipment Install New Chlorinator/Vaporizer System at WRTP

It was the consensus of the Board to recommend approval.

It was moved by Mr. Nagle, 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. Cavallo Environmental Services, LLC – Proposal Dated July 10, 2023 – For Professional Services To Prepare The 2023 Pollutant Minimization Plan (PMP) Annual Report – 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.

Cavallo Env. Prepare 2023 PMP Annual Report

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

B. CSL Services, Inc. – Proposal Dated August 7, 2023 – Proposal To Continue To Provide Operational Support Services For The DELCORA Flow Metering Program For A Period Of One Year. Current Project Pricing (Operating Funds).

CSL Services Operational Support Services-Flow Metering Program-Extend One Year

<u>ITEM</u>	<u>UNIT COST</u>
Flow Meter Installation	\$800.00/Meter
Flow Meter Operation & Maintenance	\$414.71/Meter/Month
Flow Meter Rental	\$500.00/Meter/Month

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. Moss, and unanimously carried to approve this Professional Services proposal.

C. Weston Solutions, Inc. – Proposal Dated August 4, 2023 – For Professional Engineering Services For Continued Assistance On The Annual Delaware County Metering Program – Total Additional Amount Not To Exceed \$20,000.00 (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.

Weston
Continued
Assistance-Flow
Metering Program

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

D. NewGen Strategies & Solutions – Proposal Dated July 27, 2023 – To Provide Rate Model Update For 2024 Rates – Total Amount Not To Exceed \$9,770.00 (Operating Funds) (from Finance meeting). Mr. Kern stated that this item was discussed at the Finance Committee meeting, and it was the consensus of the committee to recommend Board approval.

NewGen Strategies
Rate Model Update
For 2024 Rates

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

3. Authorization To Purchase:

Authorization To
Purchase

• DRV Inc. – Quote Dated July 18, 2023 – For The Purchase And Installation Of Two (2) VFDs For The Chester Pump Station Through PA COSTARS #016-E22-197 – Total Amount Not To Exceed \$103,730.00 (Capital Funds).

DRV Inc.
Purchase & Install of
2 VFDs For Chester
PS

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. Knapp, seconded by Mr. Moss, and unanimously carried to approve the above purchase.

• Purchase Of Construction Services And Materials For The Beech Street Pump Station To Ridge Road Proposed Force Main Project Via The Keystone Purchasing Network eziQC© Contract (Contractor S.J. Thomas Company, Inc.) – Proposal Dated August 3, 2023 – Total Amount Not To Exceed \$4,487,943.00 (Capital Funds).

Construction Svcs. &
Materials – Beech St.
PS-Proposed FM
(SJ Thomas Co.)

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. Sage, seconded by Mr. Knapp, and unanimously carried to approve the above purchase.

- Environmental Service & Equipment Company – Quote #1620 Dated August 10, 2023 – For The Purchase Of One (1) Complete Hydro 10,000 PPD Chlorinator And Vaporizer System For The WRTP Through PA COSTARS #016-125, Vendor #372655 – Total Amount Not To Exceed \$79,170.00 (Capital Funds) (added to agenda).

Environmental Service & Equipment New Chlorinator & Vaporizer System at WRTP

Mr. Kern stated that this item was not previously discussed at the Operations and Engineering Committee meeting but was discussed earlier in the agenda under the proposal for installation of this equipment.

It was the consensus of the Board to recommend approval.

It was moved by Ms. Nichols, seconded by Ms. Billings, and unanimously carried to approve the above purchase.

4. Approval Of The Compensation Letter To Darby Creek Joint Authority For Purchase Agreement, Temporary Workspace Agreement, And Subterranean Agreement. DELCORA Is Agreeing To Pay A One Time Fee Of \$35,584.00 In Compensation. The Fee Includes \$11,665.00 For The Purchase Agreement; \$9,119.00 For The Temporary Workspace Agreement; \$10,800.00 For The Subterranean Easement; And \$4,000.00 For Attorney Fees (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.

Approve Compensation to DCJA – Land For Tunnel

It was moved by Mr. Nagle, seconded by Mr. Monaghan, and unanimously carried to approve the signing of the Compensation Letter to the Darby Creek Joint Authority regarding land for the tunnel project.

5. Resolution No. 2023-04 – Authorizing The Disposition Of Various Lab And Pretreatment Files Dated 1977-2017. 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. 2023-04

It was moved by Ms. Billings, seconded by Mr. Monaghan, and unanimously carried to adopt Resolution 2023-04.

6. Resolution No. 2023-05 – Authorizing An Amendment To The Pension Plan Adjusting The Pension Plan's Survivors Benefits to 100% Effective January 1, 2023. Mr. Kern stated that this item was discussed at the Pension Committee meeting, and it was the consensus of the committee to recommend Board approval.

Res. No. 2023-05

It was moved by Ms. Sage, seconded by Mr. Monaghan, and unanimously carried to adopt Resolution 2023-05.

7. Authorization To Sign The Amendment To The Wastewater Service Agreement Between Delaware County Regional Water Quality Control Authority And The City Of Philadelphia. Mr. Kern acknowledged Marc Lucca of Aqua PA who wished to address the Board at this time. Mr. Lucca asked for more information on what is included in the amendment and what will happen after 2028 when the current agreement with the City of Philadelphia expires, and are there still plans to divert sewage from the Philadelphia Water Department (PWD) to the WRTP in the City of Chester. Mr. Lucca thanked the Board.

Approve PWD
Agreement
Amendment

It was moved by Ms. Billings and seconded by Ms. Nichols to approve the authorization to sign the PWD Agreement Amendment. No vote was taken at this time and there was discussion on the motion.

In response to Mr. Lucca, Mr. Kern stated that the amendment only changes the methodology of how the PWD Long Term Control Plan (LTCP) cost allocations are calculated. It is changing to the Hydrologic and Hydraulic (H&H) model and based upon current data, DELCORA's contribution percentage to the PWD LTCP would change from 9.44% to 0.21%. The amendment does not extend the current agreement which still expires on April 1, 2028. Due to the change in the contribution cost methodology, DELCORA will save a minimum of \$1 million this year with an overall savings of about \$5 million to the end of the agreement.

Addressing the 537 Plan, Mr. Kern stated that no determination has been made but progress is still being made on it.

Referring to the motion made earlier, Mr. Kern requested a vote to approve the authorization to sign the PWD Agreement Amendment. It was unanimously carried.

EXECUTIVE SESSION: There was no Executive Session.

EXECUTIVE
SESSION

Prior to adjournment, Mr. Knapp requested the solicitor address any possible vetting process for visitors on these Zoom virtual meetings so we do not have a repeat of the hacking occurrence that happened earlier in this meeting. Mr. Rice suggested that DELCORA's IT Department be contacted to prevent someone hacking in to the public virtual meetings. He mentioned that he has read about this happening periodically at other public virtual municipal meetings and it is quite disturbing.

Mr. Kern said that when it does happen, you need to react fast enough to remove them from the meeting and there is a provision in

Zoom that once you remove someone, they can't join again from that IP address. Mr. Rice added that this is also a possible law enforcement issue. Further discussion will take place to address the hacking issue and options available to prevent it.

ADJOURNMENT: It was moved by Mr. Nagle, seconded by Mr. Moss, and unanimously carried to adjourn the regular meeting at 3:55 P.M. ADJOURNMENT

ATTEST
Secretary