

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

MINUTES

JANUARY 16, 2024 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, January 16, 2024, 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, Martin, Moss, Mullen, Nagle, Schuster, and Mesdames Billings, Keffer, and Nichols Board Members, constituting a quorum were present. ROLL CALL

Messrs. Cartafalsa, DiSantis, Garner, Hurst, Lehman, Lenton, Rice, Willert, and Mesdames Amadio, Bonnett, Byrd, Caulk, B. Garner, and Jackson were also present.

PUBLIC ATTENDANCE: The following was present: 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

2024 REORGANIZATION: 2024 REORGANIZATION

A. Election of Temporary Chairman. Mr. Kern requested a nomination for Temporary Chairman. Ms. Nichols nominated Mr. John Nagle as Temporary Chairman for the purposes of reorganization. Motion was seconded by Mr. Martin and unanimously carried. Election of Temporary Chairman

B. Election of Temporary Secretary. Mr. Nagle requested a nomination for Temporary Secretary. Ms. Nichols nominated Mr. Paul Mullen as Temporary Secretary for the purposes of reorganization. Motion was seconded by Mr. Martin and unanimously carried. Election of Temporary Secretary

C. Election of Authority Officers for 2024. Election of Authority Officers for 2024

1. Chairman. Mr. Nagle requested a nomination for Chairman. Ms. Chairman

Billings nominated Mr. Jim Kern as Chairman of the Authority. Motion was seconded by Ms. Nichols and unanimously carried to appoint Mr. Jim Kern as Chairman.

Mr. Nagle relinquished the meeting to Mr. Kern.

2. Vice Chairman. Mr. Kern requested a nomination for Vice Chairman. Ms. Nichols nominated Mr. John Nagle as Vice Chairman. Motion was seconded by Mr. Moss and unanimously carried to appoint Mr. John Nagle as Vice Chairman.

Vice Chairman

3. Secretary. Mr. Kern requested a nomination for Secretary. Ms. Nichols nominated Mr. Paul Mullen as Secretary. Motion was seconded by Mr. Moss and unanimously carried to appoint Mr. Paul Mullen as Secretary.

Secretary

4. Treasurer. Mr. Kern requested a nomination for Treasurer. Ms. Nichols nominated Mr. Anthony Moss as Treasurer. Motion was seconded by Mr. Martin and unanimously carried to appoint Mr. Paul Mullen as Secretary.

Treasurer

5. Assistant Secretary/Treasurer. Mr. Kern requested a nomination for Assistant Secretary/Treasurer. Ms. Nichols nominated Ms. Jane Billings as Assistant Secretary/Treasurer. Motion was seconded by Mr. Moss and unanimously carried to appoint Ms. Jane Billings as Assistant Secretary/Treasurer.

Assistant
Secretary/Treasurer

D. Chairman – Committee Appointments for 2024. Mr. Kern announced the Committee Appointments for 2024.

Committee
Appointments for
2024

He stated the following:

- Mr. Mullen will be Chairman of the Operations & Engineering Committee of the whole.
- Mr. Nagle will be Chairman of the Finance Committee of the whole.
- Ms. Nichols will be Chairperson of the Human Resources & Administration Committee of the whole.
- Ms. Billings will be the Legal Liaison Chairperson, including Mr. Kern and Mr. Mullen as members.
- Mr. Nagle will be Chairman of the Strategic Planning and Goals Committee of the whole.
- Mr. Mullen will be Chairman of the Pension Board of the whole.

APPROVAL OF MINUTES: It was moved by Mr. Nagle, seconded by Ms. Nichols, and unanimously carried, that the minutes of the Regular Meeting of December 19, 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 January 8, 2024. 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 January 8, 2024. There were no additions to the meeting minutes.

Strategic Planning
& Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on January 9, 2024. 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. Kern stated that the Committee met on January 10, 2024. There were no additions to the meeting minutes.

Finance

e. Pension. Mr. Kern stated that there was no formal meeting of the Pension Committee and had nothing to report at this time. He noted that there will be a Pension Board meeting in February.

Pension

f. Legal Liaison. Ms. Billings stated that there were no updates at this time.

Legal Liaison

2. CHAIRMAN: Mr. Kern thanked the Board for their continued confidence by re-appointing him as Chairman. He stated that, at the next meeting, the Collections group will be introduced by Mr. Garner and recognized for their outstanding work. They collected \$866,047 in December which is about four times the amount from last December.

CHAIRMAN

3. EXECUTIVE DIRECTOR: Mr. Willert stated that there were no additions to the written report. He commended Mr. DiSantis, Mr. Lenton and their staff who did a terrific job during the record-breaking storm last week, working around the clock to avert any major problems.

EXECUTIVE
DIRECTOR

4. DIRECTOR OF ENGINEERING: Mr. Hurst stated that there were no additions to the written report; however, he noted that there was one addition to today's agenda under New Business which he will describe in more detail when that item is addressed.

DIRECTOR OF
ENGINEERING

5. DIRECTOR OF OPERATIONS & MAINTENANCE: Mr. DiSantis stated that there were no additions to the written report and thanked the Board for their recognition of his staff for their efforts during the recent storm.

DIRECTOR OF
OPERATIONS &
MAINTENANCE

6. SOLICITOR: Mr. Rice stated that he had no items to report at this time. He noted that there will be an Executive Session today to discuss a litigation matter related to the Chester bankruptcy. The bankruptcy counsel will be participating via Zoom. SOLICITOR

Mr. Ken Schuster stated that he will not participate in the Executive Session due to his recent re-appointment as the Chester City Solicitor so as to avoid any conflict of interest.

OPERATING FUND PAYMENTS:

OPERATING
FUND PAYMENTS

1. MONTHLY FINANCIAL 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 December 2023.

It was moved by Ms. Billings, seconded by Mr. Moss, and unanimously carried that the statement and the list of bills in the amount of \$3,960,616.32 for the month of December 2023 contained in the Monthly Financial 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-Outs at this time. CONTRACT CLOSEOUT

4. PAYMENT OF BILLS: PAYMENT OF BILLS

It was moved by Mr. Moss, 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 \$642,151.89, 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.

Ms. Nichols mentioned the capital requisition spreadsheet that she had received from Mr. Kern. Mr. Kern stated that he had sent that to

all of the Board members as it relates to the payments approved above. Ms. Nichols requested that a column be added to the spreadsheet to indicate the individual completion percentage. Mr. Hurst suggested adding a link for each projected listed in the capital requisitions spreadsheet that would connect to his monthly report since the percentage of project completion is regularly listed on his monthly report or convert his monthly report to be in a tabular form like the spreadsheet. Following discussion, a column will be added to indicate the project completion percentage.

Mr. Kern noted that he receives this spreadsheet every month and has previously informed the Board that if they wish to receive it to let him know. This month, he decided to send it to all Board members so they would be aware of what they are voting on under the above "Payment of Bills" item. He added that each line item is a requisition that is then signed by him, Mr. Moss, and Mr. Lehman, that instructs the Trustee to pay the individual contractor.

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. Greeley And Hansen – Proposal Dated January 3, 2024 – Professional Engineering Services For LTCP Update Support Services – Total Amount Not To Exceed \$50,000.00 (Capital Funds). Greeley & Hansen LTCP Update Support
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.

B. Brown And Caldwell – Proposal Dated December 1, 2023 – For Professional Engineering Services To Provide Year 4 Reporting Of The Comprehensive Sewer System Infiltration And Inflow Control Program (Task Order No. 5) – Total Amount Not To Exceed \$173,085.00 (Capital Funds) (added to agenda). Mr. Kern stated that this proposal was added to the agenda and not previously discussed at the Operations and Engineering Committee meeting. Mr. Hurst Brown & Caldwell Sewer System I&I Control Program – Annual Report 2024

stated that this is a proposal for Brown and Caldwell to provide the annual reporting of our system-wide program for Inflow and Infiltration. They have provided very detailed and complex flow analysis to us for the past three years. The report is also sent to the state, other authorities and the municipalities. The report indicates what we have been doing and what we plan on doing regarding Inflow and Infiltration. This work is also part of our compliance with the Long Term Control Plan and the Consent Decree. Mr. Hurst also noted that Brown and Caldwell was selected through a competitive process several years ago. The current amount of \$173,000 is significantly less than previous years because of the nature of the analysis for this year since there is less data to review this time. He apologized for not putting this on the Committee agenda. Mr. Kern added that this report has been very helpful to the Central Delaware County Authority and the communities in identifying and removing excess Infiltration and Inflow issues. Mr. Hurst confirmed for Mr. Rice that this new item was added to the Board agenda last week prior to publication.

It was the consensus of the Board to approve this proposal.

It was moved by Mr. Mullen, 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. HACH Company – Proposal Dated November 28, 2023 – Professional Engineering Services For The Coverage And Support Of RTC Channel, Includes Ongoing Priority Tech Support, Remote Monitoring, System Alerts, And Monthly Reports. This Also Covers All Parts, Labor, And Travel For Onsite Repairs Of The RTC – Total Amount Not To Exceed \$7,020.00 (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.

HACH Co.
RTC Channel Tech
Support

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

In response to a question about what is an RTC, Mr. DiSantis explained that it is basically a small computer that has the programming channeled into it for chlorination and de-chlorination. The system was purchased about a year ago and it has been quite successful. It helps to minimize chlorine and bisulfite which is the de-chlorination chemical. This proposal continues the system support.

Discussion followed concerning the minimum amounts to be Board approved. Mr. DiSantis stated that normal purchases that fall within

the purchasing procedures are as follows: certain employees can approve up to \$500; certain employees can approve up to \$1,500; he, Mr. Hurst and Mr. Lenton can approve up to \$5,000; and Mr. Willert is the only one who can approve more than \$5,000. These are less than the purchasing costs of approximately \$13,000 to get multiple quotes and less than the bidding costs. He also stated that all professional service proposals are presented to the Board regardless of the amount. For example, the proposal to prepare the Chapter 94 report for Pocopson Township is about \$1,500. In conclusion, Mr. DiSantis stated that all professional services are presented to the Board for approval but not all purchases as there is a purchasing policy in place that covers purchases under certain threshold limits. He also noted that he works closely with Pam Caulk, the Purchasing Coordinator, and that she, along with Mr. Willert, is working on streamlining and updating the current purchasing policy which has been in place for many years.

B. FREYA Systems LLC – Proposal Dated December 4, 2023 – Professional Engineering Services To Support DELCORA In Data Science And Software. This Would Provide DELCORA With Access To Support For Algorithm Maintenance, Future Project Feasibility Assessment, Ad-Hoc Analysis, Data Engineering, And More – Total Quarterly Amount Not To Exceed \$7,500.00 (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.

FREYA Systems
Data Science &
Software Support

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

In response to a question from Mr. Martin about the term of the agreement, Mr. DiSantis stated that there is no end date to this proposal but it will be at our discretion whether or not we continue to use Freya. This is the firm that assisted us in developing AI (artificial intelligence) that we are using to optimize the aeration system which is a huge power user as well as the key to the activated sludge process.

C. LRM, Inc. - Proposal Dated January 2, 2024 – Professional Instrumentation Service For B-3 Annual Calibrations – Total Amount Not To Exceed \$12,000.00 (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.

LRM, Inc.
B-3 Annual
Calibrations

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

D. HRG, Inc. – Proposal Dated January 4, 2024 – Professional Engineering Services For The Preparation Of The 2023 Chapter 94 Wasteload Report For The Edgmont Township Collection And Conveyance System – Total Amount Not To Exceed \$3,200.00 (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.

HRG, Inc.
Prepare Ch 94
Report for Edgmont
Twp.

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

E. D'Huy Engineering, Inc – Proposal Dated December 28, 2023 – Professional Engineering Services For Design And Permitting Of PS-6 Odor Control Improvements – Total Amount Not To Exceed \$270,000.00 (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.

D'Huy Eng.
Design/Permitting
PS-6 Odor Control

It was moved by Mr. Moss, seconded by Mr. Martin; however, Mr. Hurst interjected and stated that this proposal was mistakenly noted as coming out of Operating Funds but it is actually part of the Capital Program and it should be coming out of Capital Funds. No vote was taken.

It was moved by Mr. Nagle, seconded by Mr. Martin, and unanimously carried to amend the prior motion and state that this proposal amount is using Capital Funds.

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

In response to a question from Ms. Nichols concerning the odor control improvements, Mr. Hurst stated that the current system that was installed at PS-6 made a big difference but it is a temporary system. It is based on the use of activated carbon as the absorbent for the odor but because of the amount of odor, the activated carbon is used up very quickly and it is expensive to replace. This proposal is for the design of a permanent system that will be more of a traditional odor control wet scrubber with a lower cost to operate. This expensive-to-operate temporary system will be kept in service until the permanent one is online.

3. Authorization To Purchase:

Authorization to
Purchase

- Environmental Service & Equipment Company, LTD. – Quote Dated January 4, 2024 – For The Purchase Of One (1) Complete Hydro 10,000 PPD Chlorinator And One (1) Vaporizer System, The Labor And Materials Needed For The Removal Of Existing

Environmental
Service / Eqpt.
One Chlorinator &
One Vaporizer
System

Equipment, And The Installation Of The New Equipment Through PA COSTARS #016-E23-284 – Total Amount Not To Exceed \$107,813.00 (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.

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

- Dukes Root Control, Inc. – Amendment To Original Quote Dated March 17, 2023 – For Purchase Of Sanitary Sewer Mainline Smoke Testing Program Through PA COSTARS #016-E22-232 – Total Additional Amount Not To Exceed \$1,178.00 (Capital Funds).

Dukes Root Control
Additional Services

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.

4. Approval Of The Following Revised License Agreement For The Wastewater Tunnel Project:

Revised License
Agreement
PHMC
Morton Homestead
(Tunnel Project)

<u>Parcel No.</u>	<u>Owner</u>	<u>Type of Easement</u>	<u>Cost</u>
33-00-00852-01	PA Historical & Museum Commission	Subterranean	None

(Property is known as Morton Homestead located in Morton Homestead State Park, 100 Lincoln Avenue, Prospect Park, PA 19076)

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 Revised License Agreement with the PA Historical & Museum Commission for a subterranean easement at the property listed above.

5. Approval Of Amendment/Extension Of The 1973 Service Agreement with the Central Delaware County Authority.

CDCA Service
Agreement
Amendment

Mr. Kern requested a motion to approve the Amendment/Extension of the 1973 Service Agreement with the Central Delaware County Authority (CDCA). This amendment will extend the CDCA Service Agreement for another fifty (50) years from December 1, 2022 to December 1, 2072.

It was moved by Mr. Nagle, seconded by Mr. Mullen, with Mr. Kern abstaining, and carried to approve the Amendment/Extension of the Service Agreement with the CDCA.

It was noted that the Service Agreements with the Darby Creek Joint Authority and the Muckinipates Authority will also be amended to extend the expiration dates of both service agreements. Mr. Rice, Solicitor, is currently drafting those amendments and they will be placed on the next Board agenda for approval.

EXECUTIVE SESSION: An Executive Session was held to discuss legal matters.

EXECUTIVE
SESSION

ADJOURNMENT: It was moved by Mr. Mullen, seconded by Ms. Keffer, and unanimously carried to adjourn the regular meeting after the Executive Session at 5:06 P.M.

ADJOURNMENT

ATTEST
Secretary