

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

MINUTES

SEPTEMBER 17, 2024 (ON-SITE / VIRTUAL OPTION)

The Regular Meeting of the Delaware County Regional Water Quality Control Authority was held on Tuesday, September 17, 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, Mesdames Billings, Keffer, and Nichols Board Members, constituting a quorum were present. ROLL CALL

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

PUBLIC ATTENDANCE: Mike Ewall and B. Preston Lyles were present. No other members of the public were present. PUBLIC

Mr. Kern, Chairman, called the meeting to Order.

ORDER OF BUSINESS

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited by all parties present. PLEDGE OF ALLEGIANCE

COMMENTS FROM THE PUBLIC: Mr. Kern stated that there were no comments or questions received from the public. PUBLIC COMMENTS

APPROVAL OF MINUTES: It was moved by Ms. Nichols, seconded by Ms. Keffer, and unanimously carried that the minutes of the Regular Meeting of August 20, 2024, 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 September 9, 2024. There were no additions to the meeting minutes. Human Resources and Administration

b. Strategic Planning and Goals. Mr. Nagle stated that the Committee met on September 9, 2024. There were no additions to the meeting minutes. Strategic, Planning & Goals

c. Operations and Engineering. Mr. Mullen stated that the Committee met on September 10, 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. Nagle stated that the Committee met on September 11, 2024. 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. Mullen 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 had nothing to report at this time but did note that an Executive Session would be held to discuss pending legal issues, specifically the Chester bankruptcy.

Legal Liaison

2. CHAIRMAN: Mr. Kern stated that he would be forming a Nominating Committee for next year and invited others to participate. He also noted that he is finalizing the procurement review and that there would be an Executive Session.

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

Mr. Kern congratulated Mr. DiSantis upon receiving the A.E. "Bud" Fricker Individual Service Award from the Eastern Operators Association this November.

6. SOLICITOR: Mr. Rice stated that he had nothing new to report at this time. He also noted that there would be an Executive Session to discuss some 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 August 2024.

It was moved by Mr. Nagle, seconded by Mr. Mullen, and unanimously carried that the statement and the list of bills in the amount of \$4,874,481.67 for the month of August 2024 contained in the Chief Financial Officer's 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-2403-CO – Furnishing Equipment, Labor & Supervision For Sewer Maintenance, Repairs, And Other Construction Related Projects – Change Order No. 1 – Increase In Contract Amount Of \$500,000.00 (Jurich, Inc.).

Contract No.  
SEW-2403-CO  
Sewer Maint.  
CO #1

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. Mr. Kern noted that this is a unit price contract and this change order allows for extending the upper limit of that contract due to the emergency force main repair at the Rt. 420 bridge.

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

3. CONTRACT CLOSEOUT AND FINAL PAYMENT APPROVAL: Mr. Kern stated that there were no Contract Closeouts at this time.

CONTRACT  
CLOSEOUT

4. PAYMENT OF BILLS:

PAYMENT OF  
BILLS

It was moved by Mr. Mullen, 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 \$1,626,381.18 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. P2024-05 – Unleaded Gasoline And Diesel Fuel With Tracking System.
- Contract No. P2024-06 – Trash Removal/Recycle/Disposal & Grit/Screenings Relocation; Removal, Hauling & Disposal.

Contract No.  
P2024-05

Contract No.  
P2024-06

- Contract No. P2024-07 – Liquid Chlorine In One-Ton Cylinders.
- Contract No. P2024-08 – Liquid Caustic Soda.
- Contract No. P2024-09 – Phosphoric Acid 85%.

Contract No.  
P2024-07

Contract No.  
P2024-08

Contract No.  
P2024-09

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 Mr. Mullen, seconded by Mr. Martin, and unanimously carried to approve the advertisement of the contracts listed above.

AWARD OF CONTRACTS:

AWARD OF  
CONTRACTS

- Contract No. TC-2404-C – Incinerator – Annual Maintenance & Emergency Repairs 2024. Mr. Kern stated that the lone bidder was Industrial Furnace Company, Inc. with a one year bid amount of \$784,203.70 and a two year bid amount of \$1,625,335.38, and was in full compliance with DELCORA's requirements.

Contract No.  
TC-2404-C  
Incinerator-Annual  
Maintenance &  
Emergency Repairs  
2024

It was moved by Ms. Keffer, seconded by Mr. Nagle, and unanimously carried to award Contract No. TC-2404-C – Incinerator – Annual Maintenance & Emergency Repairs 2024 to Industrial Furnace Company, Inc. for a two year period in the amount of \$1,625,335.38.

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. Remington & Vernick Engineers – Proposal Dated September 9, 2024 – For Professional Engineering Services For Construction Management And Inspection Services For The Route 420 Force Main Break & Repair Project – Total Amount Not To Exceed \$27,500.00 (Capital Funds).

Remington & Vernick  
Construction  
Mngmnt./Inspection  
Services  
Rt. 420 FM Break  
Repair

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 Professional Services proposal listed above.

2. Authorization for Professional Services: (Operating Funds) Authorization for Professional Services

A. AquaLaw PLC – Proposal Dated August 21, 2024 – 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 \$25,000.00 (Operating Funds) (AquaLaw Is Not Affiliated With Aqua PA). AquaLaw Continued Assistance – LTCP-Consent Decree-Permitting

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. Martin, and unanimously carried to approve the Professional Services proposal listed above.

B. Brown & Caldwell – Proposal Dated September 3, 2024 – For Professional Engineering Services To Provide Continued Local Limits Development For The WRTP – Total Additional Amount Not To Exceed \$16,500.00 (Operating Funds). Brown & Caldwell Continued Local Limits Development

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. Martin, and unanimously carried to approve the Professional Services proposal listed above.

3. Authorization to Purchase: Authorization To Purchase

• Purchase Of Construction Services For The Construction Of Multi-Facility Upgrades Including: Construction Svcs. Multi-Facility Upgrades (S. J. Thomas)

- General Job Order Contract (JOC) \$4,504,868.78
- Electrical JOC \$ 228,402.53
- HVAC JOC \$ 368,575.59

Via The Keystone Purchasing Network (Contractor S. J. Thomas Company, Inc. Proposal Dated July 9, 2024 – JOC Contract No. 2021JOCC-48) – Total Amount Not To Exceed \$5,101,846.90 (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. Mr. Hurst noted that the bulleted items had changed from the Operations and Engineering Committee meeting agenda in that, based on the Solicitor's review, it

would be best to structure this project by trade and dollar amount. It is still one contract that includes three proposals.

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

- HACH – Quote Dated August 22, 2024 – For Purchase Of Hach UVAS US Sensor, Controller, Mounting Hardware And Warranty – Through PA COSTARS Contract #020-E22-040 – Total Amount Not To Exceed \$31,345.55 (Capital Funds).

HACH  
UVAS US Sensor,  
Controller,  
Hardware

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. Billings, seconded by Mr. Mullen, and unanimously carried to approve the above purchase.

4. Resolution No. 2024-10 – Authorizing The Minimum Municipal Obligation Budget For 2025 – Pension Fund. 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. The contribution amount is \$2,301,449.

Res. No. 2024-10

It was moved by Mr. Martin, seconded by Ms. Nichols, and unanimously carried to adopt Resolution 2024-10.

There being no further business before the Board, it was moved by Ms. Keffer, seconded by Ms. Nichols, and unanimously carried to begin the Executive Session at 3:55 P.M.

Board member Mr. Kenneth Schuster did not participate in the Chester bankruptcy portion of the Executive Session.

EXECUTIVE SESSION: There was an Executive Session held to discuss pending legal issues and the Chester bankruptcy litigation.

EXECUTIVE  
SESSION

Beth Stern Fleming and Michael Clarke were present for the 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 5:07 P.M.

ADJOURNMENT

ATTEST  
Secretary