

## **REGULAR MEETING MINUTES**

### **July 26, 2021**

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The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:00 p.m. on Monday, July 26, 2021, Chairman Brian Nagle presiding. The meeting was hybrid via in-person and video and audio advanced communication technology (“ACT”), using the Zoom internet application, including telephone option. Each Board member and other attendees of the meeting were able to hear each other attendee and be heard by each other attendee. The public could also participate in the meeting in-person or via ACT, using the Zoom internet application, including telephone option. A Roll Call of Board members present was taken. Chairman Brian Nagle, Richard Bohner, Norma Cusick, Linda Rosenfeld, Jeff Morgan, and Amir Famili were present for the duration of the meeting. Kevin Baker arrived at 12:04 p.m. and was present for the duration of the meeting.

Solicitor Michael Gaul of KingSpry was present along with Authority Staff, Liesel Gross, Ed Klein, John Parsons, Chris Moughan, Chuck Volk, Susan Sampson, Andrew Moore, Phil DePoe, Mark Bowen, Lisa Miller, Todd Marion, Ed Hoyle, and Jason Peters.

Chairman Nagle stated that the Board received their electronic copy of the Board packet in advance and asked if they also received their hard copy of the packet.

### **REVIEW OF AGENDA**

Liesel Gross stated there are no changes to the agenda and no Executive Session is scheduled to follow the regular meeting. She noted that there was a copy of the Keystone Tap magazine, from the Pennsylvania Rural Water Association, that was included in the Board packet mailing. It has a nice article submitted by Sue Sampson regarding Kline’s Island Wastewater Treatment Plant operations.

### **APPROVAL OF MINUTES**

#### **June 28, 2021 Meeting Minutes**

On a motion by Richard Bohner, seconded by Linda Rosenfeld, the Board approved the minutes of the June 28, 2021 Board meeting as written (5-0). Amir Famili abstained.

### **PUBLIC COMMENTS**

None.

### **ACTION AND DISCUSSION ITEMS**

#### **Suburban Division – Upper System Pump Station and Main Extension Design Phase Authorization (Approval)**

Chuck Volk gave a brief background of the project noting that a conditional “will serve” letter was issued to Readington Farms in September 2020, subject to additional system evaluation and developer contribution for any necessary system improvements. Staff worked with the Authority’s water system engineer to conduct a hydraulic analysis. Based on the findings, service to the development would be best achieved by a new Central Lehigh Division (CLD) Lower System interconnection and extension under I-78 via a steel casing pipe to be acquired from Upper Macungie Township. A new regional water booster station will also be required to meet the water needs in the Upper System. The dairy will require 335 gallons per minute (gpm) and the proposed

pump station will have a capacity of 1,000 gpm to allow for future growth, as determined based on planning data provided by Upper Macungie Township.

Mr. Volk recommended awarding the design contract to the Buchart Horn engineering firm. The firm has provided excellent service as the design and construction phase engineer for the Buss Acres Pump Station Upgrade Project. Buchart Horn's proposal was also the lowest cost of those received.

Amir Famili asked if Upper Macungie Township has approved the construction of the dairy. He would have a concern with the Authority outlaying funds for the project if the township has not yet approved it. Mr. Volk said that the dairy has preliminary plan approval from the township. Mr. Famili also asked how the Authority is protecting the rate payers if the dairy should go out of business. Mr. Volk explained that the need for water service to that area is growing, and the construction of a pump station is inevitable. As reviewed at the last meeting, Ed Klein's calculations also show that the project provides a positive net present value and a 7.1-year payback period. Those calculations are conservative. They do not assume a factor for additional growth in the area, even though such growth is likely. The new water main extension and regional pump station will also enhance system resiliency and redundancy, in the event of operational issues with the CLD auxiliary pump station or with the Upper System wells occur in the future.

Chairman Nagle asked if the Authority will have full or shared access of the casing running under I-78. Mr. Volk said that the Authority will have sole access of the casing. He stated that the township has approved the acquisition agreement for the casing pipe. The Authority is waiting on the highway occupancy permit from PennDOT. Ed Hoyle added that the casing is 36 inches in diameter, and a 20-inch diameter pipe will be installed inside the casing pipe, which will allow for additional water capacity to be conveyed in the future if needed. Richard Bohner asked if there will be a retail function at the dairy. Liesel Gross stated that the site is zoned for warehousing and light industrial. Solicitor Mike Gaul explained that, under the Pennsylvania Municipalities Planning Code, the developer of the dairy will be entitled to final plan approval, if the final plans are consistent with the approved preliminary plans. Typically, the preliminary plan approval is the most significant step in the land development approval process.

On a motion by Linda Rosenfeld, seconded by Richard Bohner, the Board approved the Capital Project Authorization for Design Phase in the amount of \$196,865.00 which included the Professional Services Authorization for Design Phase to Buchart Horn, Inc. in the amount of \$121,865.00 (7-0).

**Suburban Division – Western Lehigh Interceptor Manhole Rehabilitation Project – Phase 2 Construction Phase Authorization (Approval)**

Chuck Volk introduced the project that is Phase 2 of an annual upgrade project on key manholes in the Western Lehigh Interceptor (WLI). The project consists of rehabilitation and floodproofing of manholes. Jason Peters gave an overview, noting that an inspection of the WLI manholes was performed in 2015, which identified manholes that may be subject to inflow of flood water during heavy rain events. In 2019, Arcadis performed an updated inspection of the manholes identifying remaining deficiencies from the 2015 report. In early 2021, the Authority and Keystone Consulting Engineers performed an updated inspection revealing numerous additional deficiencies that include offset, loose, and damaged frames and covers; damaged, cracked, and missing exterior concrete; and manholes inundated with floodwater during and after significant storm events. The rehabilitation work proposed for this project will raise approximately 12 manhole tops up to 2 feet in height, so they lie at or above the floodplain elevation. The project will also include concrete repairs and installation of 49 new watertight frames and covers. The areas that have been identified as a priority are: an

area across from the pretreatment plant, the Breinigsville Line, Ancient Oaks, and the Winding Brook area over to the East Penn District Middle School. The watertight frames and covers were purchased from Hamilton Kent. The frames are made of a composite material, allowing for safety measures for the operators due to the lighter weight. The frames are bolted to the structure with the lids bolted down to the frame with a heavy gasket material to prevent inflow at the cover. Mr. Peters presented pictures of manholes that were rehabbed in 2020 with the new covers and frames during Phase 1 of the project. Mr. Peters recommends Scheuermann Excavating, Inc. for the construction phase of the project, and Keystone Consulting Engineers for the construction inspections.

Linda Rosenfeld commented on the significant differences in bid prices. She asked what the reason may be for the differences. Mr. Peters explained that the price differences may be impacted by the size of the company performing the work. Pricing can also be impacted by how busy each contractor is.

On a motion by Jeff Morgan, seconded by Kevin Baker, the Board approved the Capital Project Authorization for the Construction Phase in the amount of \$177,740.00, which includes award of the Construction Contract for General Construction to Scheuermann Excavating, Inc. in the amount of \$139,620.00 and the Professional Services Authorization for the Construction Inspection to Keystone Consulting Engineers in the amount of \$15,120.00 (7-0).

### **MONTHLY PROJECT UPDATES / INFORMATION ITEMS**

Liesel Gross reported there are no highlights and asked if Board members had questions. Jeff Morgan asked about the status of the report for the Act 537 plan alternatives analysis regarding the pretreatment plant upgrade option and the report for the revenue planning tool. Phil DePoe stated that the revenue planning tool is complete and being evaluated by Authority staff. The results of the study on the pretreatment plant upgrade option are being finalized and will be presented to Authority staff this week.

### **MONTHLY FINANCIAL REVIEW**

Ed Klein reviewed the June 2021 financial statement presentation, highlighting the variances between actual expenses and budgeted or forecasted expenses. Mr. Klein reported there is positive income and positive variances across all funds. This is due in part to the impact of the phasing in of the new rates which resulted from the amendment to the Allentown lease agreement that occurred last year. Liesel Gross clarified that the calculation of the operating ratio excludes debt service expenses.

Mr. Klein gave an update on the 2020 audit. The Authority recently received the required PMRS GASB disclosures. The Authority's final financial statements are expected to be completed by the end of August.

Richard Bohner asked how the customer payment assistance program is doing. Liesel Gross reported that customer applications for grant assistance are coming in slowly. She added that the federal coronavirus relief funding has offered supplemental support through an emergency rental assistance program (ERAP) which can be used toward customers' unpaid utility bills. The Authority has received funds through the ERAP program as well as through the Authority's own customer assistance program. The ERAP program is run through the County of Lehigh, and there is a deadline on the use of these funds, so the Authority is trying to support that program by first directing customers to use the ERAP program if they need assistance. Chris Moughan added that customers have been pushed more towards the ERAP program because of the available funds and once the

program ends in 2022, staff will need to re-evaluate the eligibility criteria for the Authority's customer assistance program.

### **MONTHLY SYSTEMS OPERATIONS OVERVIEW**

John Parsons reviewed the June 2021 Monthly Systems Overview report. Kevin Baker asked about the impacts of lower rainfall. Mr. Parsons agreed that rainfall has been low, but water supplies remain adequate for customers' needs and above any drought trigger levels. Richard Bohner asked what the consequences are for the pretreatment plant if it exceeds its capacity. Liesel Gross explained that the pretreatment plant is not a direct discharge. As a result, the pretreatment plant does not have a specific discharge limit. The plant can pretreat an amount of wastewater well above the plant's designed capacity of 5.75 million gallons per day.

### **STAFF COMMENTS**

Chairman Nagle asked about the reason for the boil water advisory in Buss Acres that just occurred. Liesel Gross noted that boil water advisories in small systems are somewhat routine because there is limited redundancy in pumping and supply. Even short-term outages or main breaks can cause a system-wide loss of pressure in a small system like this. John Parsons added that in this situation, a failure in one facility in the Buss Acres system caused significant pressure loss and some homes lost service completely, which triggered the boil water advisory. The cause and remedies for this recent situation are still being investigated.

### **SOLICITOR'S COMMENTS**

Solicitor Gaul discussed Act 65 of 2021 which amends the Sunshine Act regarding publication of meeting agendas for public agencies, among other things. The Authority currently follows the agenda procedures, but some general exceptions may need to be reviewed in further detail for clarification.

### **PUBLIC COMMENTS / OTHER COMMENTS**

Jennifer McKenna, City of Allentown Office of Compliance, asked about the water shutoffs and if the pandemic has had an impact on the number of shutoffs or the time period in which service is restored due to a customer's inability to pay. Chris Moughan said the number of shutoffs and timing of service restoration are consistent with the Authority's experience prior to the pandemic.

### **EXECUTIVE SESSION**

None.

### **ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 1:09 p.m.

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Richard Bohner  
Secretary