

REGULAR MEETING MINUTES

March 14, 2022

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:01 p.m. on Monday, March 14, 2022. 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. Brian Nagle, Richard Bohner, Norma Cusick, Ted Lyons, Kevin Baker, Jeff Morgan, and Amir Famili were present for the duration of the meeting.

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

Chairman Nagle announced that the Board received their electronic and hard copies of the Board packet in advance and asked if anyone did not receive their copy of the packet. A copy of the packet is also available online.

REVIEW OF AGENDA

Liesel Gross announced that there are no changes to the agenda and no Executive Sessions planned.

APPROVAL OF MINUTES

February 28, 2022 Meeting Minutes

Richard Bohner noted some grammatical errors. On a motion by Richard Bohner, seconded by Ted Lyons, the Board approved the minutes of the February 28, 2022, Board meeting as corrected (6-0). Brian Nagle abstained.

PUBLIC COMMENTS

None.

ACTION AND DISCUSSION ITEMS

2022 Staffing Review & Budget Request

Liesel Gross explained that in the approved 2022 Budget, three new staff positions were added to address needs outlined in the Strategic Plan: Employee Development, Process Improvement, and Asset Management. When the 2022 Budget was approved by the Board on October 25, 2021, the Board asked for a refinement of the scope of work for the Process Improvement and Asset Management positions to be brought back to the Board.

The recommended approach for the Process Improvement position is to reallocate the budget for this position toward consulting services to assist the staff with conducting a needs analysis and developing a technology road map to address deficiencies with the Authority’s financial software system. The consultant’s work is expected to cost between \$50,000 and \$75,000, which represents

a reduction in the 2022 Budget when compared to the staff costs associated with a new Process Improvement position.

Scott Bieber entered the meeting at 12:10 p.m.

Liesel Gross then reviewed the Asset Management needs of the Authority, including reviewing the definition of Asset Management and the staff's assessment of initial steps that are necessary to develop the program. She noted that system maintenance and accurate tracking of maintenance activity are the building blocks of an asset management program. In order to place appropriate focus on maintenance activity tracking, the current staffing structure will be reorganized slightly and a maintenance-focused position added within the Plant Operations group. These changes will support standardization of maintenance programs across the organization.

Ted Lyons asked for a more detailed explanation of the standardization of maintenance activity and what is required. Ms. Gross reviewed the primary activities the new maintenance-focused position would be responsible for, including ensuring that the computerized maintenance management system is used consistently throughout the organization, developing an inventory system for materials and equipment, and gathering data on the condition of assets.

Ted Lyons asked if the Staff have chosen an organization to conduct the needs analysis regarding the financial system. Liesel Gross said proposals are expected to be received within the next few weeks following initial review of the project with three potential consultants.

Ms. Gross reviewed the current staffing structure, the recommended structure for 2022, and provided an overview of organizational changes that may be implemented in the future to fully support the Authority's asset management program. Amir Famili stated that the future Director of Engineering and Asset Management position noted in the presentation would serve a very critical role for the Authority and asked if the Board would be open to having the CEO start looking now to fill this position. He noted that the staffing change on the process improvement position will result in a net savings in 2022 for staffing, so there is some flexibility in the 2022 Budget to begin filling the Director of Engineering and Asset Management earlier. Jeff Morgan agreed that the position will be critical for the Authority and is needed. Liesel Gross said this position will be difficult to fill in the current job market and recognizing the qualifications and experience that would be required for this position. She stated the staff would like to focus on filling the maintenance-focused position first to ensure those priority areas are addressed. Recruiting for the Director of Engineering and Asset Management can begin after that.

Resolution 3-2022-1: Authorizing the Authority's Application for Grant Funding, Heidelberg Wastewater Rehabilitation Project

Chuck Volk explained that the purpose of proposed Resolution 3-2022-1 is to authorize a grant application to the Pennsylvania Local Share Assessment program for the 2023 Heidelberg Heights sewer main rehabilitation project. A copy of the draft Resolution was included in the Board's meeting packet. The project consists of replacing approximately 1,200 feet of sewer main and 14 sewer laterals.

Solicitor Mike Gaul read the title of Resolution 3-2022-1, and summarized the Resolution's provisions, including the nature of the project to be funded and the authorization of the grant application for the amount of \$455,000.00.

On a motion by Scott Bieber, seconded by Amir Famili, the Board approved Resolution 3-2022-1 (8-0).

A roll call vote was taken with the following votes cast:

Brian Nagle – yes
Scott Bieber – yes
Richard Bohner – yes
Norma Cusick – yes
Ted Lyons – yes
Kevin Baker – yes
Jeff Morgan – yes
Amir Famili – yes

Resolution 3-2022-2: Authorizing the Authority's Application for Grant Funding, Western Lehigh Interceptor Manhole Project

Chuck Volk explained that the purpose of proposed Resolution 3-2022-2 is to authorize a grant application to the Pennsylvania Local Share Assessment program for the Western Lehigh Interceptor manhole rehabilitation project, which will flood proof approximately 130 manholes. A copy of the draft Resolution was included in the Board's meeting packet.

Solicitor Mike Gaul read the title of Resolution 3-2022-2, and summarized the Resolution's provisions, including the nature of the project to be funded and the authorization of the grant application for the amount of \$615,000.00.

On a motion by Ted Lyons, seconded by Amir Famili, the Board approved Resolution 3-2022-2 (8-0).

A roll call vote was taken with the following votes cast:

Brian Nagle – yes
Scott Bieber – yes
Richard Bohner – yes
Norma Cusick – yes
Ted Lyons – yes
Kevin Baker – yes
Jeff Morgan – yes
Amir Famili – yes

The Board suggested reaching out to local legislators for support of the two grant applications that were just approved. Liesel Gross said this legislative outreach will be completed following submission of the applications.

Kline's Island Sewer System –Act 537 Planning Update

Phil DePoe reviewed a detailed PowerPoint presentation regarding the Kline's Island Sewer System (KISS) Act 537 Plan, including a review of the project history and timeline, review of critical path items, and review of past and current consultant authorizations. This review covered the time period of late 2018 through 2022, including future work necessary to achieve the goal of submitting the Act 537 Plan to the Pa. Department of Environmental Protection (DEP) by March 2025.

Mr. DePoe explained that the Task Activity Report (TAR), which was requested by the Board at the previous meeting, is the DEP form used to outline the expenses that will be incurred to prepare the eight required sections of the Plan. All 15 KISS municipalities must sign the TAR to show their commitment to the planning effort and cost. Mr. DePoe said the work is continuing on schedule to meet the 2025 submission deadline, but the next three years will be challenging due to the amount of work that must be completed and the need to reach agreement with all municipalities on the long-term sewage facilities plan. Mr. DePoe outlined the planning schedule and reviewed the critical path items required to meet the schedule.

Ted Lyons asked what alternatives are being explored to address long-term sewage capacity needs in this region. Mr. DePoe outlined three major components of the system that are being investigated: the Authority's Pretreatment Plant (PTP) upgrade option; the Kline's Island Wastewater Treatment Plant (KIWWTP) upgrades to address dry-day and wet-weather flows; and the conveyance system including interceptors and pump stations. He noted that the plan must include not only the new facilities that are required to meet future needs, but also any major facility upgrades that are needed due to aging infrastructure or updated treatment requirements. The plan must also include a review of each municipality's sewer collection system rehabilitation programs. A major challenge with the schedule is the need for the municipalities to agree on the entire plan, which will be very expensive to implement.

Scott Bieber asked Phil DePoe to expand on the challenges associated with the allocation of sewage capacity to the signatories. DePoe explained that the current KIWWTP permit is for 40 million gallons per day (MGD), which is already fully allocated to the KISS municipalities. However, the KIWWTP average daily flows are only 32 MGD, and sometimes less during periods of low groundwater. Therefore, the plant may not need to be upgraded to provide more dry-day treatment capacity. However, some of the municipalities may need more allocation to accommodate future growth. Liesel Gross explained that since the entire 40 MGD is already allocated to the municipalities, there is no capacity available for the municipalities to purchase. This problem is based on the intermunicipal agreements, which will need to be renegotiated as part of this planning process. This negotiation process is a major driver in the planning schedule because it is expected this process will take a long time to work through with all of the municipalities.

Jeff Morgan asked about the status of the KIWWTP permit, which was recently re-rated to increase the hydraulic capacity of the plant. Mr. DePoe explained that the hydraulic capacity of the plant was recently re-rated to 44.6 MGD, but this may not provide any additional sewer allocation for the municipalities to purchase. Scott Bieber asked for additional explanation, and Mr. DePoe said the situation is unclear and requires more dialog with DEP. The increase in the hydraulic capacity rating of the KIWWTP to 44.6 MGD provides a cushion for periods of prolonged wet weather, such as what was experienced in 2018 and 2019, but it is unclear what this permit upgrade means for normal sewer capacity allocation process.

Scott Bieber asked if the Board could see a status report of the current DEP-issued Connection Management Plan, to see which municipalities are adding new connections to the system. Mr. DePoe said a quarterly report is prepared for DEP detailing new connections that are approved within the terms of the Connection Management Plan, and future reports could be shared with the Board. Jeff Morgan asked if new connections are allowed based on reductions in inflow and infiltration (I&I) within each municipality. Liesel Gross explained that beginning in 2020, DEP placed the KISS under a Connection Management Plan with a specific amount of new flow approved to be connected to the system during this planning period which ends in 2025. The amount of new flow included in the Connection Management Plan is based on what each KISS municipality predicted for new growth during the five-year period, not I&I reductions. However, if a municipality's growth

exceeds its approved Connection Management Plan before 2025, a request could be made to DEP for additional new connections based on progress on I&I reduction or other flow reductions. If the region continues to make good progress on the planning effort and submits the Act 537 Plan on time, then it is expected new connections will be allowed to continue after 2025 based on implementation of the Plan.

Mr. DePoe reviewed the past and current authorizations of the five consultants: AECOM, ARRO, Arcadis, Jacobs, and Kleinfelder. Amir Famili asked who is ultimately responsible for this project, and who makes the decision on which alternatives will be pursued or discarded from the evaluation. Mr. DePoe explained that he is responsible for moving the work forward, ensuring the consultants are progressing on schedule, and coordinating technical work with the KISS municipalities. Liesel Gross stated that the challenge with this program is that all 15 municipalities ultimately have a say in what is included in the plan, and all municipalities must adopt it by resolution. The Authority is facilitating the work, but the planning costs are shared by the municipalities. Ted Lyons asked if the municipalities are supportive of the process. Ms. Gross said the municipalities are participating in the process and attending a lot of meetings together. However, there are differing opinions on progress on the project to date, with some municipalities becoming impatient with the slower pace of planning. Other municipalities do not feel the planning effort will benefit their community. She commented that bringing all the municipalities together to agree on the final Act 537 Plan and long-term sewage facilities that will be constructed will be the hardest part of the planning effort. Mr. DePoe agreed and stated that the engineering work is the more straightforward aspect of the planning effort.

The Board thanked Mr. DePoe for the presentation and discussion.

Western Lehigh Service Area: 2022 Nighttime Weiring

Linda Rosenfeld entered the meeting at 1:28 p.m.

Phil DePoe provided some background to the project, describing previous investigations to identify the sources of inflow and infiltration (I&I) into the Western Lehigh Interceptor system and associated municipal sewer collection systems. Past studies have indicated where baseline infiltration and rainfall derived inflow and infiltration (RDII) exist within the system. The Western Lehigh Sewer Partner municipalities and the Authority have completed system rehabilitation over the past decade to address these sources of I&I. An updated RDII analysis was completed recently. Updated I&I source reduction plans must be developed as part of the regional Act 537 planning work. When properly conducted with wet ground conditions that typically occur in the early spring months, nighttime weiring is a highly effective way to locate those neighborhoods most impacted by I&I, so the future system rehabilitation program can be developed. The work will consist of evaluating approximately 240 miles of sanitary sewer pipe located primarily within the Western Lehigh Sewer Partners' sewer collection systems. In addition to the project authorization, Mr. DePoe noted a Budget Amendment was also being requested for approval, as this work was not initially expected to be conducted via the Authority's budget. The work will be facilitated by the Authority, with expenses reimbursed by the municipalities through normal sewer signatory billing procedures.

There was some additional discussion of methods for identifying the sources of I&I including televising the sewer system and micro-metering. Jeff Morgan commented that this is a worthwhile effort, and the nighttime weiring process offers the potential to identify infiltration sources behind the curb as well, such as leaking laterals and sump pumps.

On a motion by Jeff Morgan, seconded by Ted Lyons, the Board approved the Capital Project Authorization in the Suburban Division Western Lehigh Sewer Partners – Nighttime Weiring in the

amount of \$298,000.00 which includes the Professional Services Authorization to Arcardis in the amount of \$268,000.00 and includes the Budget Amendment Request in the amount of \$298,000.00 for the Suburban Division Wastewater Capital budget (9-0).

A roll call vote was taken with the following votes cast:

Brian Nagle – yes
Scott Bieber – yes
Richard Bohner – yes
Norma Cusick – yes
Ted Lyons – yes
Kevin Baker – yes
Linda Rosenfeld – yes
Jeff Morgan – yes
Amir Famili – yes

Allentown Division - Sanitary Sewer Collection System: I&I Source Reduction Program Plan

Phil DePoe reviewed the project, which is part of a three-year source reduction plan in the City of Allentown to reduce baseline infiltration. The plan includes heavy cleaning, joint testing and grout sealing, sectional and full-length cured-in-place-pipelining (CIPP). Kleinfelder, the Authority's engineering consultant for this project, has checked references of the low bidder, Vortex Services, LLC and has found their work to be satisfactory.

On a motion by Amir Famili, seconded by Linda Rosenfeld, the Board approved the Capital Project Authorization for the Construction Phase in the amount of \$945,772.00 which includes the Professional Services Authorization to Kleinfelder in the amount of \$162,200.00 and the Construction Contract to Vortex Services, LLC in the amount of \$753,572.00 (9-0).

A roll call vote was taken with the following votes cast:

Brian Nagle – yes
Scott Bieber – yes
Richard Bohner – yes
Norma Cusick – yes
Ted Lyons – yes
Kevin Baker – yes
Linda Rosenfeld – yes
Jeff Morgan – yes
Amir Famili – yes

MONTHLY PROJECT UPDATES / INFORMATION ITEMS

Liesel Gross reported that there have been additional format changes made to the report that include the notation of staff responsibility for each project, the project phase, and the funding source. She reviewed upcoming agenda items noted in the report. Chairman Nagle thanked the Staff for the updates to the report format, which make it easier to review.

STAFF COMMENTS

None.

SOLICITOR'S COMMENTS

None.

PUBLIC COMMENTS / OTHER COMMENTS

None.

EXECUTIVE SESSION

ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 1:47 p.m.

Richard Bohner
Secretary