

REGULAR MEETING MINUTES May 23, 2022

Notice of Preparation of Authority Meeting Minutes: Authority staff who are in attendance at each Authority Board meeting prepare a draft of the Minutes, which are subsequently distributed to all Board members for review. Board members may offer corrections prior to a vote of the full Board of Directors to approve the Minutes.

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:01 p.m. on Monday, May 23, 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, Scott Bieber, Norma Cusick, Linda Rosenfeld, 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, Chuck Volk, Chris Moughan, Andrew Moore, Phil DePoe, Mark Bowen, Bryan Geissel and Lisa Miller.

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.

Kevin Baker joined the meeting at 12:05 p.m.

Norma Cusick left the meeting at 12:05 p.m.

REVIEW OF AGENDA

Liesel Gross announced that there are no changes or additions to the agenda and no Executive Session planned.

APPROVAL OF MINUTES

May 9, 2022 Meeting Minutes

On a motion by Linda Rosenfeld, seconded by Amir Famili, the Board approved the minutes of the May 9, 2022 Board meeting as presented (6-0).

PUBLIC COMMENTS

None.

ACTION AND DISCUSSION ITEMS

2023-2027 Suburban Division, Allentown Division, and Administration Capital Plans

Liesel Gross gave a brief overview presentation summarizing the 2023-2027 Capital Plan for all divisions for Board consideration and approval and a summary of the public comments received during the 30-day public comment period. Ms. Gross clarified that approval of the Plan does not

indicate funding authorization for the Plan, which includes projects totaling approximately \$124 million over the next five years. She noted a large portion of these projects are annual or reoccurring infrastructure rehabilitation or replacement projects.

Ted Lyons joined the meeting at 12:10 p.m.

Ms. Gross reviewed updates to the Plan since the last presentation, which were outlined in the materials presented. Two projects were updated, including a cost update for the Suburban Division SCADA Upgrade project, and the addition of the Upper System Water Storage Tank. In addition, language was added to clarify the City and Allentown's contribution of American Rescue Plan Act funding for specific water and sewer projects in the Allentown Division.

Ed Klein reviewed the sources of funding to support the Plan, noting that the majority of the Plan will be funded from current operating revenue and reserves.

Norma Cusick re-entered the meeting at 12:19 p.m.

Chuck Volk reviewed the comments received from the Lehigh Valley Planning Commission and the City of Allentown.

Ms. Gross recognized Mr. Volk, Mr. Klein and their teams for their work in developing the details of the Plan. Mr. Famili concurred.

On a motion by Linda Rosenfeld, seconded by Amir Famili, the Board approved the final draft of the 2023-2027 Capital Plan as presented (8-0).

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

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

LCA-South Whitehall Township Emergency Water System Interconnection Agreement

Liesel Gross stated that the work to develop an Emergency Water System Interconnection between the Authority and South Whitehall Township has been a highly cooperative process. South Whitehall Township officials have been very helpful during the process, and an agreement has been drafted to keep the process moving forward so a regulatory permit application can be submitted in a timely manner. Phil DePoe and Andrew Moore have been working on the technical details with the Township to be sure the interconnection can be constructed prior to commencing work on the Authority's water storage tank later this summer. Solicitor Gaul reviewed the draft agreement and the suggested approval process.

On a motion by Jeff Morgan, seconded by Linda Rosenfeld, the Board approved the Emergency Interconnection Purchasing Agreement with South Whitehall Township in the substantial form presented, and authorized the Chief Executive Officer to execute the Agreement on behalf of the

Authority with such modifications as the Chief Executive Officer determines to be necessary, convenient, or appropriate, in consultation with the Solicitor (8-0)

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

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

LCA-Lowhill Township Water Services Agreement, First Addendum

Liesel Gross provided a map of the Authority's Central Lehigh Division, Upper System showing the existing water lines and a proposed extension to serve a new development in Lowhill Township. The Authority's existing Water Service Agreement with the Township is specific to the previously approved developments that the Authority serves. Therefore, an Addendum to the original Water Service Agreement is needed in order to approve the extension of service to the new development. She explained that Lowhill Township had voted in April to approve a slightly revised version of the initially drafted Addendum, and then sent an executed copy of the revised Addendum to the Authority prior to it being reviewed by the Authority Board. She stated this was a minor miscommunication, and Authority staff have reviewed the revised Addendum and are satisfied with the terms. Solicitor Gaul noted he has reviewed the revised Addendum and is also satisfied.

There was some general discussion about the Authority's Water Service Agreement with Lowhill Township and the Authority's obligations to serve new developments in cases where water infrastructure currently does not exist. Liesel Gross explained the planning process and the involvement of the municipality in the plan review, which occurs prior to the Authority committing to serve the development. The Authority does not determine when and where development occurs, and agreements to extend service to a new development are contingent upon municipal review and approval. She clarified that sewer service is not being extended to serve this development.

Chairman Nagle asked that the date of the proposed First Addendum to the Water Services Agreement reflect the date of the Authority's execution of the document, as opposed to the handwritten date inserted on the Township signed copy.

On a motion by Norma Cusick, seconded by Scott Bieber, the Board approved the First Addendum to Water Service Agreement with Lowhill Township in the form presented (without inclusion of inserted date) and to authorize the Chief Executive Officer to execute the agreement on behalf of the Authority (8-0).

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

Brian Nagle – yes
Scott Bieber – yes
Norma Cusick – yes
Ted Lyons – yes
Kevin Baker – yes

Linda Rosenfeld – yes
Jeff Morgan – yes
Amir Famili – yes

Water Filtration Plant – 2022 Indenture Upgrades

Chuck Volk provided background on the annual project that is generated by a report which documents the condition of the water and wastewater facilities to the Allentown Water and Sewer Lease Bond Trustee. Mr. Volk is requesting a two-year approval for this project in order to take advantage of economies of scale. Project Engineer Bryan Geissel added that this project will consist of a lot of concrete work at remote sites and also brick work. Mr. Volk added that he is hoping to catch up with this type of repair work and reduce the budget and scope of these projects in the future.

On a motion by Norma Cusick, seconded by Jeff Morgan, the Board approved the Capital Project Authorization for the Construction Phase in the amount of \$527,604.00 which included the Professional Services Authorization to D'Huy Engineering in the amount of \$21,000.00 and award of the General Construction Contract to Mar-Allen Concrete Products, Inc. in the amount of \$476,604.00 (8-0).

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

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

Kline's Island WWTP – 2022 Indenture Upgrades

Chuck Volk said this project primarily addresses the structural deficiencies at the Kline's Island Wastewater Treatment Plant, with most of the work at the Plastic Media Tricking Filters. The work includes concrete crack repair and structural repairs related to vertical steel support anchors. Project Engineer Bryan Geissel added that the work will be completed by the same contractor who completed last year's phase of this work, Blooming Glen Contractors.

On a motion by Norma Cusick, seconded by Amir Famili, the Board approved the Capital Project Authorization for the Construction Phase in the amount of \$309,341.00 which includes the Professional Services Authorization to D'Huy Engineering in the amount of \$14,500.00, and the General Contract Award to Blooming Glen Contractors in the amount of \$274,841.00 (8-0).

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

Brian Nagle – yes
Scott Bieber – yes
Norma Cusick – yes
Ted Lyons – yes
Kevin Baker – yes

Linda Rosenfeld – yes
Jeff Morgan – yes
Amir Famili – yes

MONTHLY FINANCIAL REVIEW

Ed Klein gave an overview of the April 2022 financial statements, highlighting variances between actual expenses and budgeted or forecasted expenses. There was some discussion regarding the sewer signatory year-end reconciliation process.

MONTHLY SYSTEM OPERATIONS OVERVIEW

Andrew Moore reviewed highlights of the April 2022 report, noting that there was an increase in water withdrawals from Schantz Spring along with increased sewer flows in all service areas due to over 5.5 inches of rain received in April. He also reviewed the sanitary sewer overflows and bypasses that occurred in Heidelberg Township, Lynn Township, and the City of Allentown. Chris Moughan reported that the Authority continues to receive customer input regarding the 2022 rate increases, and a copy of a recent letter was attached to the report. He also followed up on a question at the last Board meeting regarding call volumes, explaining that there has been a reduction in customer call volume due to process improvements made in the water termination procedures. These changes allow customer service representatives to be more responsive to the incoming calls and reduce overall call volume. Chairman Nagle congratulated the team for thinking outside the box and addressing this issue.

STAFF COMMENTS

None.

SOLICITOR'S COMMENTS

None.

PUBLIC COMMENTS / OTHER COMMENTS

None.

EXECUTIVE SESSION

None.

ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 1:34 p.m.

Norma Cusick
Assistant Secretary