

## **REGULAR MEETING MINUTES**

### **June 12, 2023**

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:00 p.m. on Monday, June 12, 2023, 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, Amir Famili, Linda Rosenfeld, Norma Cusick, Jeff Morgan, and Sean Ziller were present for Roll Call, and remained for the duration of the meeting. Marc Grammes entered the meeting at 12:03 p.m.

Solicitor Michael Gaul of KingSpry was present along with Authority Staff, Liesel Gross, Ed Klein, Chris Moughan, Albert Capuzzi, Phil DePoe, Chuck Volk, Susan Sampson, 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.

Chairman Nagle announced that the Authority received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for its Annual Comprehensive Financial Report for the fiscal year ended December 31, 2021. The award recognizes Ed Klein and the Finance staff for their excellent financial reporting.

Chairman Nagle also announced that CEO Liesel Gross has been awarded the George Warren Fuller Award from the Pennsylvania Section of the American Water Works Association for her distinguished service in the water supply field.

### **REVIEW OF AGENDA**

Liesel Gross announced that there are no changes or additions to the agenda; however, there will be an Executive Session at the close of the regular meeting to discuss a personnel matter.

### **APPROVAL OF MINUTES**

#### **May 22, 2023 Meeting Minutes**

Linda Rosenfeld noted a grammatical error. On a motion by Linda Rosenfeld, seconded Amir Famili, the Board approved the minutes of the May 22, 2023, Board meeting as corrected (7-0).

### **PUBLIC COMMENTS**

None.

#### **LCA Lowhill Township Water Services Agreement, First Addendum – Recission of LCA Board Approval**

Liesel Gross provided the background of the First Addendum to the Lowhill Township Water Service Agreement that was approved in May 2022 to extend potable water service to portions of the Township. In May 2023, the Authority received a letter from the Township Solicitor indicating that the Township has rescinded its approval of the First Addendum due to changes in its land-use planning approach. Notably, the Township has recently adopted an updated comprehensive land-use plan, and the Township Solicitor’s letter indicates future extension of water service in the Township would be based on the updated plan. Ms. Gross suggested that the Authority Board of Directors take action

to similarly rescind its approval of the First Addendum to indicate its support of the Township's planning approach. The original Lowhill Township Water Service Agreement would continue to be in place.

On a motion by Linda Rosenfeld, seconded by Marc Grammes, the Board rescinded its May 2022 approval of the First Addendum to the Lowhill Township Water Service Agreement (7-0).

### **North Whitehall Township Act 537 Plan: Cost-Sharing Agreement**

Liesel Gross explained that North Whitehall Township and the Authority have collaborated on prior planning studies to address the need for public sewer services in the Township. The most recent effort was in the early 2000s, when an Act 537 Plan update was developed. An Act 537 Plan update is needed now because there are several small developer-built sewer systems in the Township, including two owned and operated by the Authority, which have varying degrees of performance challenges. The Township is also concerned about the potential for failing on-lot systems, and the capacity to provide public sewer service in growing areas of the Township. The Authority and Township staff agree that a partnership approach to developing the Act 537 Plan update is appropriate due to the Authority's role in providing public water and sewer services in the Township. A cost-sharing agreement has been drafted to formalize the partnership for the planning effort. The agreement was drafted collaboratively by Saxton & Stump and the Township Solicitor, and North Whitehall Township approved the agreement on June 5, 2022.

There was some Board discussion about the Act 537 Plan schedule and cost, and the Authority's role in the process. Liesel Gross explained that the schedule and cost will be determined by the requirements set forth by the Pa. Department of Environmental Protection. An initial step in the process is to meet with DEP to review the Act 537 Plan checklist to determine the elements required to be included in the plan. This will dictate the planning schedule and cost. However, the cost-sharing agreement caps the Authority's contribution at \$150,000 without further authorization. Ms. Gross also noted that the Township is required to adopt the Act 537 Plan, so it is the Township's ultimate responsibility to complete the planning work, but the Authority is a logical partner due to its current role in providing sewer service in the Township.

On a motion by Jeff Morgan, seconded by Sean Ziller, the Board approved the North Whitehall Township Act 537 Plan Cost-Sharing Agreement and authorized Liesel Gross to sign the agreement (7-0).

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

Liesel Gross reviewed items for the next meeting in June. She also highlighted the Safety Program Review item in the report, which the Board requested and is scheduled for the July 10 meeting. Amir Famili asked for an update on the Kline's Island WWTP dechlorination system project. Chuck Volk said the project will be completed this quarter. Jeff Morgan asked what the next deadline is for the regional Act 537 Plan. Phil DePoe said the next big deadline is for the municipalities to finalized their inflow and infiltration source reduction plans within the next month.

### **STAFF COMMENTS**

Liesel Gross thanked the Board for the opportunity for her and staff to be able to participate in industry associations and events, such as the American Water Works Association meeting that is currently under way in Toronto this week. These opportunities are a great benefit to the organization and for the staff's personal development.

Marc Grammes asked for further explanation regarding the pump failure that occurred at the Kline's Island WWTP in April, which caused a small sewage overflow at the facility. Andrew Moore explained that the pump was out of service but an error in programming logic was calling for the out-of-service pump to turn on in the wrong sequence, which caused a brief interruption in pumping. Normally when a pump is out of service, the programming logic would be adjusted to have the pump removed from the pumping sequence. The problem was identified and corrected. Some additional Board discussion followed.

#### **SOLICITOR'S COMMENTS**

Solicitor Gaul congratulated Liesel Gross and Ed Klein and their staff on the awards announced earlier during the meeting.

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

None.

#### **BOARD MEMBER COMMENTS**

None.

#### **EXECUTIVE SESSION**

An Executive Session will be held following the close of the regular meeting to discuss a personnel matter.

#### **ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 12:35 p.m.

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Linda A. Rosenfeld  
Secretary