

REGULAR MEETING MINUTES

February 12, 2024

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:11 p.m. on Monday, February 12, 2024, 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, Linda Rosenfeld, Jeff Morgan, Norma Cusick, Amir Famili, Sean Ziller, and Marc Grammes were present for Roll Call, and remained for the duration of the meeting.

Attorney Kevin Reid, the Authority’s Solicitor, was present along with Authority Staff, Ed Klein, Chris Moughan, Andrew Moore, AJ Capuzzi, Phil DePoe, Chuck Volk, and Lisa Miller.

Chairman Nagle announced that there was an Executive Session prior to the start of the regular meeting to discuss potential litigation.

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

REVIEW OF AGENDA

Ed Klein announced that there is no Executive Session planned; however, there is a minor change to the agenda. The item under Finance and Administration, Authorization for Additional Legal Action Regarding PFAS Litigation will not require action or discussion today.

APPROVAL OF MINUTES

January 22, 2024 Meeting Minutes

On a motion by Linda Rosenfeld, seconded by Amir Famili, the Board approved the minutes from the January 22, 2024 meeting as presented (7-0).

PUBLIC COMMENTS

None.

Legal Services: Development of New Intermunicipal Agreement(s)

Phil DePoe introduced Attorney Lee Stinnett from Salzman Hughes. Salzman Hughes was chosen to provide legal services to the Kline’s Island Sewer System (KISS) municipalities for the purposes of jointly negotiating and drafting a new intermunicipal agreement or agreements. Mr. DePoe stated that as part of the Act 537 Plan development process, the municipalities have begun contemplating the need for updated cost-sharing mechanisms for the new projects that will be outlined in the Plan. The overall goal is to simplify billing and also how the large capital improvements should be addressed from a financial perspective.

Attorney Lee Stinnett gave an overview of his experience with agreements and his work with municipalities. He also has experience working with state regulatory agencies and Act 537 plans.

There was some Board discussion regarding the technical aspects of the agreements and how the Authority and Salzman Hughes plan to bring that together in the agreements, and the use of

sewage billing meters. Atty. Stinnett explained his extensive work experience with intermunicipal agreements.

On a motion by Jeff Morgan, seconded by Linda Rosenfeld, the Board authorized the Chief Executive Officer, or her designee, to execute the engagement letter with Salzmann Hughes contained in their January 15, 2024 proposal, not to exceed \$75,000.00 (7-0).

KISS Relief Interceptor Pre-Design Study

Phil DePoe provided an overview of the project which will construct relief facilities for the Little Lehigh Interceptor in Allentown, which has been identified as running in an overloaded condition for a long period of time. In order to develop the project details for inclusion in the Act 537 Plan, the next stage of planning requires survey, subsurface utility locating, geotechnical investigation, groundwater investigation, wetlands assessments, and PNDI/PHMC evaluations. The project concept includes constructing a parallel interceptor that will extend along Martin Luther King Jr. Blvd to the Kline's Island Wastewater Treatment Plant. The interceptor alignment must be finalized for the Act 537 Plan submission.

Mr. DePoe explained that the funding for the pre-design work will initially come from the Authority's Little Lehigh Relief Interceptor Phase 1 (LLRI-1) fund, which was established to manage shared capital and operating costs associated with the Park Pump Station. Nine of 15 municipalities in the Kline's Island Sewer System currently contribute toward the LLRI-1, and will pay for the pre-design work in 2024 and 2025. Reimbursement agreements from the remaining municipalities will be developed as part of the negotiation of a new intermunicipal cost-sharing agreement. There was some discussion regarding the risk associated with cost recovery in the absence of a final cost-sharing agreement. Mr. DePoe explained that the LLRI-1 municipalities are already aware of the proposed arrangement and are agreeable to this approach.

Mr. DePoe reviewed the pre-design tasks and the three subconsultants that will be working with Arcadis.

On a motion by Amir Famili, seconded by Norma Cusick, the Board approved the Capital Project Authorization: KISS Act 537 – KISS Relief Interceptor (KRI) in the amount of \$879,000.00 which includes the Professional Services Authorization to Arcadis – KRI Pre-Design in the amount of \$779,000.00 (7-0).

Arcadia WWTP Screening System Project

Chuck Volk introduced the project and provided some background to upgrade the Arcadia Wastewater Treatment Plant located in Weisenberg Township. Matt Dornier provided details of the project noting that there is a sewage grinder in the influent wet well, but the WWTP has no screening system for the raw wastewater. Therefore, rags and other bulky debris accumulate creating maintenance issues. This project will consist of the installation of two automatic mechanical screening units, one for each Sequencing Batch Reactor.

On a motion by Norma Cusick, seconded by Marc Grammes, the Board approved the Capital Project Authorization for the design phase in the amount of \$66,300.00 which includes the Professional Services Authorization for design phase engineering services to D'Huy Engineering in the amount of \$48,400.00 (7-0).

Kline's Island WWTP: Secondary Digester Cleaning

Amy Rohrbach gave an overview of the project that is required by the City of Allentown Lease Agreement. The digester tanks are required to be cleaned every five years and the Secondary Digester is due for cleaning. The activities that are necessary are to empty, dewater, and clean the Secondary Digester, replace digested sludge sample lines, and repair the overflow box.

Chuck Volk added that the costs are high due to the extensive mobilization involved with this project.

On a motion by Sean Ziller, seconded by Marc Grammes, the Board approved the Capital Project Authorization for the Construction Phase in the amount of \$292,900.00 which includes the Professional Services Authorization to GHD Inc. in the amount of \$17,900.00, and the General Contract Award to Romesberg Trucking, Inc. dba Mobile Solids Solutions in the amount of \$265,000.00 (7-0).

MONTHLY PROJECT UPDATES / INFORMATION ITEMS

Ed Klein highlighted items for the next meeting in February. Chairman Nagle asked Norma Cusick to serve as the Nominating Committee for the upcoming Board election of officers. Ms. Cusick will poll the Board members regarding their interest in being nominated to an officer position. Nominations will be finalized, and officers will be elected at the next meeting.

STAFF COMMENTS

None.

SOLICITOR'S COMMENTS

None.

PUBLIC COMMENTS / OTHER COMMENTS

None.

BOARD MEMBER COMMENTS

None.

EXECUTIVE SESSION

None.

ADJOURNMENT

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

Linda A. Rosenfeld
Secretary