

REGULAR MEETING MINUTES

February 26, 2024

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:00 p.m. on Monday, February 26, 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, Norma Cusick, Jeff Morgan, 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, Liesel Gross, Ed Klein, Chris Moughan, Andrew Moore, AJ Capuzzi, Phil DePoe, Chuck Volk, Susan Sampson, 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. He also noted that the agenda was updated with an additional item and emailed to the Board.

REVIEW OF AGENDA

Liesel Gross announced that there was an Executive Session prior to the regular meeting and no additional Executive Session is planned. 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

February 12, 2024 Meeting Minutes

On a motion by Sean Ziller, seconded by Linda Rosenfeld, the Board approved the minutes from the February 12, 2024 meeting as presented (6-0).

PUBLIC COMMENTS

None.

Board of Directors – Election of Officers

Chairman Nagle reported that Norma Cusick served as the Nominating Committee and had provided a report prior to the meeting detailing the following slate of nominations for 2024 officers:

Brian Nagle, Chair
Amir Famili, Vice Chair
Jeff Morgan, Secretary

Ted Lyons, Treasurer
Kevin Baker, Assistant Treasurer
Norma Cusick, Assistant Secretary

Chairman Nagle asked if there were any other nominations, which there were not. On a motion by Norma Cusick, seconded by Linda Rosenfeld, the Board elected the officers for 2024 as nominated:

Brian Nagle as Chair, Amir Famili as Vice Chair, Ted Lyons as Treasurer, Kevin Baker as Assistant Treasurer, Jeff Morgan as Secretary, and Norma Cusick as Assistant Secretary (6-0).

Water Main Replacement Program Cycles 9 – 11

Jason Peters presented an overview of the Water Main Replacement Program. Cycles 9 through 11 of the project include a total of six miles of water main replacements over the next three years, to be designed and bid as required in the Operating Standards of the Allentown Water & Sewer Lease Agreement. He described the complex nature of this project, which entails replacing mains in a densely populated urban area with many underground facilities and continuous traffic and work restrictions, and coordination with the City of Allentown, outside agencies and private utilities. The project scope also includes the annual Pipe Prioritization Program.

The Board asked about the amount budgeted for the contingencies. Mr. Peters explained that this cost includes subsurface investigations such as geo-tech work, soft digs, ground penetrating radar if required, permit fees, and other miscellaneous costs.

On a motion by Linda Rosenfeld, seconded by Marc Grammes, the Board approved the Capital Project Authorization – Design Phase & Pipe Prioritization Assessment Program Cycles 9 – 11 in the amount of \$775,000.00 which includes the Professional Services Authorization to Gannett Fleming, Inc. in the amount of \$525,000.00 (6-0)

Lead Service Line Replacement Project Cycle 2

Jason Peters provided an overview of the Cycle 2 project to replace 1,000 service lines as developed by the Authority's Lead Service Line Replacement (LSLR) plan and required by the US EPA's Lead and Copper Rule Improvements (LCRI). The Authority will be requesting \$15 million in grant funding from PennVEST for this project. Albert Capuzzi described the process used to select the consultants for this project.

There was some discussion regarding the potholing technique that would be utilized for both the public and private side of the service line. Liesel Gross clarified that a full potholing investigation will not be completed prior to the grant application being submitted.

On a motion by Sean Ziller, seconded by Linda Rosenfeld, the Board approved the Capital Project Authorization – Lead Services Replacement Program Cycle 2: Design, Bid, and Construction phase engineering in the amount of \$1,222,207.00 which includes the Professional Services Authorization – funding Application Services: Gannett Fleming in the amount of \$38,600.00, and the Professional Services Authorization – Design, Bid and Construction Phase Services: CDM Smith in the amount of \$933,607.00 (6-0).

Sanitary Sewer Collection System: I&I Source Reduction Program (LCA Year 1)

Jason Peters described the 2021 Kline's Island Sewer System (KISS) Flow Characterization Study and the 2022 Rainfall Derived Inflow & Infiltration (RDII) analysis, which were used by the City of Allentown to develop a 10-year I&I Source Reduction Program (SRP). This project request is for the construction phase of the I&I Source Reduction Improvements Year 1. Under the terms of the Allentown Water & Sewer Lease, the Authority will provide the initial \$650,000 of funding annual for the SRP from its Allentown Division revenues and reserves, and the remaining project cost will be paid through a capital cost recovery charge applied to customer bills.

On a motion by Jeff Morgan, seconded by Norma Cusick, the Board approved the Capital Project Authorization for Construction Phase, SRP Year 1 in the amount of \$2,717,297.50. which includes the General Construction Contract to Vortex Services LLC in the amount of \$2,492,297.50 (6-0).

MONTHLY FINANCIAL REVIEW

Ed Klein gave an overview of the December 2023 unaudited financial statements, highlighting variances between actual expenses and budgeted or forecasted expenses. Mr. Klein reported that all three funds finished the year in a positive position; however, the Suburban Wastewater operating revenues were unfavorable compared to budget due to an error in how the interfund transfers were captured in the 2023 budget document. This error was disclosed to the Board in early 2023, and has been corrected in the 2024 budget.

Marc Grammes asked questions about the municipality designations shown in the Development Activity report, as the abbreviations used are not clear. Liesel Gross clarified the municipal designations shown in the current month's report and stated that the abbreviations will be cleaned up for future reporting.

MONTHLY SYSTEM OPERATIONS OVERVIEW

Andrew Moore reviewed the January 2024 report and reported there were no recordable safety incidents in January; however, there were two vehicle incidents recorded. Water production has slightly decreased in January, and wastewater flows significantly increased last month due to the 6.32 inches of rain received. Due to the significant amount of rainfall and rising groundwater levels, the Authority experienced numerous compliance issues, which were detailed on a summary reported attached to the operations report. He also reviewed the Notice of Violation received for the Arcadia West Wastewater Treatment Plant in January.

There was some discussion regarding how large development projects will affect the Kline's Island Wastewater Treatment Plant, considering the challenges during wet-weather events. Liesel Gross explained that the focus of the regional Act 537 Plan development work that is currently under way is to address the wet-weather flows. The current development activity falls within the existing Connection Management Plan and can be accommodated by the system during normal weather conditions. There was some additional discussion about the effectiveness of programs to address inflow and infiltration.

There was additional Board discussion regarding a boil water advisory in North Whitehall Township that occurred recently. Chris Moughan provided an overview of the situation and how it was resolved.

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 1:03 p.m.

Jeffrey J. Morgan
Secretary