

REGULAR MEETING MINUTES

March 25, 2024

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:00 p.m. on Monday, March 25, 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, Amir Famili, Ted Lyons, Jeff Morgan, Norma Cusick, Linda Rosenfeld, Marc Grammes, and Sean Ziller 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 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

Liesel Gross announced that there are no changes to the agenda and no Executive Session is planned. She noted that the February 2024 Financial Statements will be reviewed at the Board meeting in April.

APPROVAL OF MINUTES

March 11, 2024 Meeting Minutes

On a motion by Jeff Morgan, seconded by Linda Rosenfeld, the Board approved the minutes from the March 11, 2024 meeting as presented (8-0).

PUBLIC COMMENTS

None.

Lehigh River Pump Upgrades

Chuck Volk provided an overview of the project at the raw water intake of the Lehigh River to increase resiliency and redundancy in an event that the Little Lehigh Creek is unavailable. To fully utilize the Lehigh River as a water source, pump upgrades are required along with a chemical feed system to address taste and odor issues. Amy Rohrbach described the project in more detail stating the purpose of the authorization requested is to develop a report on the basis of design for the upgrades. The basis of design will be based on a prior study completed in 2018 related to the chemical feed system and existing taste and odor issues.

There was some discussion regarding the timing of the project and the delay since the study was completed several years ago. Ms. Rohrbach explained that the Lehigh River is currently used as backup water supply or during an emergency. The project was prioritized a bit lower than other projects that had a more immediate need to be completed with the funding available at that time. Andrew Moore commented that other projects had been completed in the intervening period to improve the intake at the Little Lehigh Creek source, which allowed this project to be deferred for a short period of time.

There was also some discussion about the source of the taste and odor issues, and the use of powder activated carbon to address it, and any benefits that may be gained in addressing other emerging contaminants in the raw water source.

On a motion by Linda Rosenfeld, seconded by Amir Famili, the Board approved the Capital Project Authorization for Preliminary Design Phase in the amount of \$92,000.00 which includes the Professional Services Authorization to HDR, Inc. in the amount of \$77,000.00 (8-0).

Lead Service Line Replacement Program Documents & Agreements

Liesel Gross gave an overview of the lead service line replacement program, noting the regulatory drivers for the program. Lead is not naturally present in the Authority's water sources, but lead can enter a customer's tap water by leaching from lead service lines or other lead fixtures in the home plumbing system. Andrew Moore provided a regulatory review stating that an inventory of all lead lines will need to be completed, along with removal of all lead service lines within 10 years, on both the public and private side. He also gave an overview of the removal process. Ms. Gross explained the challenge associated with replacing the private side of the service lines and the risks associated with partial replacements when the private-side service line cannot be replaced.

Chris Moughan provided an explanation of the replacement efforts of service lines currently taking place in the City of Allentown water system.

Ms. Gross reviewed the program documents: Lead Service Line Replacement Policy and the Customer Agreement. The primary thrust of these documents is to formally approve the use of public funds for the program, including the replacement of private-side service lines, and to detail the agreement that would be required for the Authority to complete replacement of privately owned service lines.

Brian Nagle commented that the customer agreement is a long and detailed document that some customers may have difficulty understanding. He suggested a review of other methods to ensure customers will understand what they are being asked to sign. Liesel Gross explained the agreement was written in "plain language" to the extent possible while covering all the required legal points needed. However, the information that will be sent to customer will include other documents, fact sheets, and materials that will be more customer-friendly and help explain the agreement more clearly.

There was some discussion regarding the follow-up with customers if there are any issues or non-compliance with the agreement. Kevin Reid explained that the agreement is written to protect both the Authority and the customers and is written to outline responsibilities of both parties. He also noted that there may be minor adjustments made as the program rolls out.

On a motion by Sean Ziller, seconded by Linda Rosenfeld, the Board approved the Lead Service Line (LSL) Replacement Policy and the LCA Property Owner Agreement, allowing for flexibility for the Staff, in consultation with the Solicitor, to make adjustments to the Agreement from time to time to reflect current program requirements (8-0).

Industrial Pretreatment Plant Master Plan

Liesel Gross provided a presentation and update of the Pretreatment Plant (PTP) master planning effort. The plant was constructed to provide centralized industrial pretreatment service to Lehigh County to support economic growth in the region. The industries that have located in the region have brought jobs and economic benefits to the region. Ms. Gross reviewed the Authority's Mission and Vision statements and the goals for the project to upgrade and expand the PTP. She noted a

preliminary presentation was provided in March 2023 from Jacobs outlining the upgrades required due to the age and condition of the PTP, and the existing and future capacity constraints.

Albert Capuzzi provided an overview of the critical facility improvements that are needed for the near term to allow for reliable plant operations. Since the master plan was prepared and presented by Jacobs in 2023 showing an investment of \$267 million would be required, the Authority conducted a detailed value engineering effort to review many alternatives. Mr. Capuzzi reviewed the evaluation process, including the use of several industry experts to review the alternatives, and provided an overview of the results of that work. The refined alternative would involve segregation of certain industrial wastes into a new anaerobic treatment process and repair and replacement of a smaller number of components at the existing PTP, with a total cost estimate of \$181 million. A major driver for the reduction in cost from the prior study is the elimination of the high purity oxygen system.

Liesel Gross reviewed the financial structure of the PTP and how the Authority currently receives revenue for the PTP operation. She explained the current challenge lies in the absence of necessary contracts or direct relationships with most of the industrial users, such that there is limited opportunity to capture capital costs for upgrades, repairs, and expansion. She reviewed opportunities to support the project financially via tax credits available through the Inflation Reduction Act and the potential revenue to be generated by capturing and selling renewable natural gas from the anaerobic treatment process.

Due to the financial constraints reviewed in the presentation, Ms. Gross explained that a financial consultant, Raftelis, has been working on a detailed financial analysis for the PTP, and detailed discussions have been conducted with the industrial users. This work will continue, along with a review with other agencies within the region, to develop a final plan for the PTP.

There was some additional discussion about revenue sources and regional participation in the evaluation of the alternatives.

Regional Sewer Capacity & Wet-Weather Planning: Engineering & Program Support

Phil DePoe gave an overview of the planning process and services provided by AECOM as the Act 537 Program Manager and provided a list of authorizations to date. He explained the fifth and final authorization is needed to finalize the Act 537 Plan for submission to DEP in March 2025.

On a motion by Linda Rosenfeld, seconded by Amir Famili, the Board approved the Capital Project Authorization: Regional Act 537 Plan Program Management, Planning Phase in the amount of \$315,400.00 which includes a Professional Services Authorization to AECOM – Regional Act 537 Plan Program Management, 2024 Amendment in the amount of \$275,400.00 (8-0).

Sand Spring WWTP: Treatment Process Modification

Chuck Volk provided an overview of the project to implement short-term recommendations as outlined in a compliance study performed by Tetra Tech, Inc. to eliminate DEP NPDES permit violations and bring the Sand Spring Wastewater Treatment Plant into compliance. The process will utilize Integrated Fixed Film Activated Sludge (IFAS), which will add additional surface area in the tank allowing the micro-organisms to nitrify. There was some discussion about the media and the duration of its use, and the cause of the overloading to the plant.

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 \$303,077.00 which includes the Construction Contract to DESCCO Design & Construction, Inc. in the amount of \$273,077.00 (8-0).

Emergency Declaration – Oswald Road Sanitary Replacement

Anrew Moore provided an overview of the Emergency Declaration to repair two significant sewer lateral leaks on Oswald Road located within the Lynn Township sewer service area. Due to the depth of the laterals, the Authority utilized Scheuermann Excavating LLC to make the repairs. The repair significantly improved the flows at the plant. The cost of the work was \$56,662.50.

On a motion by Marc Grammes, seconded by Jeff Morgan, the Board approved the emergency declaration retroactive to February 7, 2024 for the Lynn Township sewer lateral replacement (8-0).

MONTHLY SYSTEM OPERATIONS OVERVIEW

Andrew Moore reviewed the February 2024 report and reported that there were four vehicle incidents and one injury. The injury was non-recordable and only required minor first-aid. Water production is normal for this time of the year and wastewater flows remain slightly elevated due to rain events this month. A complete description of sanitary sewer overflows and permit exceedances for the month of February was provided.

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 2:05 p.m.

Jeffrey J. Morgan
Secretary