

REGULAR MEETING MINUTES December 9, 2024

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:00 p.m. on Monday, December 9, 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, Jeff Morgan, Norma Cusick, Linda Rosenfeld, and Sean Ziller were present for Roll Call, and remained for the duration of the meeting. Ted Lyons was present for Roll Call but left the meeting at 12:22 p.m. Kevin Baker entered the meeting at 12:08 p.m. and was present for the duration of the meeting.

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

Chairman Nagle announced that the Board received their electronic and hard copies of the Board packet in advance. A copy of the packet is also available online.

REVIEW OF AGENDA

Chairman Nagle announced that there was an Executive Session prior to the start of the regular meeting to discuss personnel. Liesel Gross added that there are no changes to the agenda and no additional Executive Session is planned.

APPROVAL OF MINUTES

November 11, 2024 Meeting Minutes

On a motion by Jeff Morgan, seconded by Amir Famili, the Board approved the minutes from the November 11, 2024 meeting as written (6-0). Linda Rosenfeld abstained.

PUBLIC COMMENTS

None.

SEIU Collective Bargaining Agreement: 2025-2027

Liesel Gross provided a brief overview of the Collective Bargaining Agreement between the Service Employees International Union (SEIU) and the Authority. A significant effort was made to negotiate a new contract and staff members who participated in the process are satisfied that the proposed terms of the new contract are favorable for the organization and its employees. There were a number of changes made to the contract related to the work environment, hours, employee safety, issues related to recruiting and employee retention, and wage adjustments which were included in the memo and attachments provided to the Board.

On a motion by Amir Famili, seconded by Linda Rosenfeld, the Board approved the new Collective Bargaining Agreement with SEIU for the years 2025 through 2027 in the substantial form presented, with such minor non-substantive revisions, if any, as approved by the Chief Executive Officer in consultation with the Authority Solicitor (7-0).

Resolution 12-2024-1: Adoption of 2024 Lehigh Valley Hazard Mitigation Plan

Liesel Gross explained that the Authority is a new participant in the development of a regional Hazard Mitigation Plan (Plan) which covers Lehigh County and Northampton County. In the most recent Plan update, the Authority participated in various meetings and submitted its capital plan for inclusion in the Plan. The regional Plan seeks to detail projects and programs that various municipalities and agencies will implement to improve resiliency to natural disasters such as flooding and prolonged power outages. Ms. Gross explained that the list of Authority projects included in the Plan are almost identical to the capital plan presented by Chuck Volk and his team in 2023. By having the Authority's projects included in the Plan, it makes the projects potentially eligible for grant funding offered by various state and federal emergency management agency programs. Ms. Gross noted that the Authority has already submitted letters of interest for grant funding for three projects included in the Plan: Redundant Power at Kline's Island Wastewater Treatment Plant, North Whitehall Water System Interconnection, and the Applewood Pump Station Upgrade.

On a motion by Linda Rosenfeld, seconded by Norma Cusick, the Board approved Resolution No. 12-2024-1 authorizing the adoption of the 2024 Lehigh Valley Hazard Mitigation Plan for Lehigh and Northampton Counties, in accordance with the Mitigation Act, and authorizing Authority officials to complete such acts consistent with the implementation of the plan (7-0).

Chairman Nagle noted that there is no alternate Authority contact person listed in the Plan. Ms. Gross said an alternate can be added to the Plan in a future update.

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

Brian Nagle – yes
Amir Famili – yes
Ted Lyons – yes
Jeff Morgan – yes
Norma Cusick – yes
Linda Rosenfeld – yes
Sean Ziller – yes

Resolution 12-2024-2: Customer Facility Fees & Connection Fees

Liesel Gross provided an overview of the Resolution to adopt updated customer facility fees and connection fees, known as tapping fees. If adopted, the fees will be adopted into the rate schedule effective January 1, 2025.

On a motion by Linda Rosenfeld, seconded by Norma Cusick, the Board approved Resolution No. 12-2024-2 which establishes the various components of the Lehigh County Authority Capital Recovery Fees for the City Division Water System Connection Fee and the Customer Facilities Fees for the City Division Water System and The Suburban Division Water and Wastewater Systems (7-0).

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

Brian Nagle – yes
Amir Famili – yes
Ted Lyons – yes
Jeff Morgan – yes
Norma Cusick – yes
Linda Rosenfeld – yes
Sean Ziller – yes

Capital Program Management Services

Chuck Volk provided an overview of the project that seeks additional resources and tools to enable better management of the Authority's growing capital program. Envision Consultants will develop a master schedule for all projects from the Capital Plan that includes all phases through construction, along with a scheduling standard process and format to be used by all consultants on future projects. They will also develop a template in MS Project/Primavera for the schedule conforming to the specification that engineers can use to build their project schedules. Mr. Volk said this will standardize the scheduling specifications and also help identify any scheduling conflicts or issues. Amir Famili asked what this program is going to do versus the ProCore software system that is also being implemented. AJ Capuzzi explained that ProCore requires a project schedule to be inputted into the system, but does not provide a specific methodology to develop the schedule. The support provided by Envision will be to build out the project scheduling specifications that can be used to generate all project schedules for import into ProCore.

Jeff Morgan asked if the project should be funded through the Administrative capital budget instead of the Suburban Division as noted in the project memo. Ed Klein agreed the project costs should be covered in the Administrative capital budget.

There was some additional discussion about project reporting and the desire to have more project details visible in a summarized way for the Board and staff to review.

On a motion by Jeff Morgan, seconded by Amir Famili, the Board approved the Professional Services Authorization to Envision Consultants, Ltd. in the amount of \$54,065.00 (7-0).

Water Filtration Plant: PFAS Treatment

Amy Rohrbach provided a presentation and overview of the project to design a PFAS treatment system for the Crystal Spring groundwater source in the Allentown Division. A recently completed PFAS Compliance Study identified Crystal Spring as a source requiring treatment due to the exceedance of the new federal regulatory limits for PFAS. The study evaluated three removal technologies: Granular Activated Carbon (GAC), Anion Exchange resin (IX), and the novel absorbent, FLURO-SORB (FS). The GAC method was preferred due to the level of PFAS removal, the effectiveness of removing other contaminants, and its ability to be reactivated, which reduces the need for disposal of contaminated material.

Ms. Rohrbach reviewed the challenges to the project and also provided details on the testing that must be conducted during the design phase. Amir Famili asked how many facilities in the United States have installed a GAC system to remove PFAS, and what lessons learned from those installations can be applied to the Authority's project. Chris Curran from AECOM was present and noted there are quite a few GAC systems already in place around the nation being used for PFAS removal. GAC is also a very common treatment technology in place in water treatment facilities to remove other contaminants and to address taste and odor issues. He described the process of how GAC removes PFAS chemicals and noted the success rate is very high. There was additional discussion regarding the reactivation of the used carbon versus disposal.

Jennifer McKenna, City of Allentown Office of Compliance, asked why Hazen & Sawyer didn't participate in the proposal process for the design phase, since they had conducted the Compliance Study. AJ Capuzzi said there was a business decision on the part of the consultant, with no specific reason provided.

On a motion by Norma Cusick, seconded by Linda Rosenfeld, the Board approved the Capital Project Authorization for Design, Bidding and Funding Assistance Phase in the amount of

\$1,244,830.00 which includes the Professional Services Authorization to AECOM in the amount of \$1,069,830.00 (7-0).

Emmaus Interconnect

Phil DePoe and Andrew Moore provided a presentation to discuss the PFAS contamination in the Emmaus Consecutive Division. Mr. DePoe described the potential for an interconnection with the Authority's Central Lehigh Division. He noted there are approximately 85 Emmaus Consecutive Division customers in the area immediately adjacent to the Central Lehigh Division that could be served by an alternate source if the interconnection is constructed. This approach to reduce the customers' exposure to PFAS from the Borough of Emmaus water supply.

There was some discussion regarding the costs and benefits of this approach versus waiting for the Borough's PFAS treatment project to be completed. There are some additional long-term benefits related to system redundancy that might be achieved with an interconnection, but it is uncertain whether the interconnection could be constructed in time to provide a significant public health benefit.

Amir Famili asked if the interconnection would require additional workload or manpower to operate. Andrew Moore explained there would be no measurable change in workload. Chairman Nagle asked how the Borough of Emmaus feels about the potential interconnection. Ms. Gross said that there have been preliminary discussions with the Borough.

There was some discussion regarding the system structure of the Emmaus Consecutive Division, which is made up of several small sections of customers in neighborhoods surrounding the Borough in different locations. The interconnection described in this report is the only viable option that serves just a small portion of the total Emmaus Consecutive Division, which serves a total of 416 properties.

Andrew Moore described another option for addressing PFAS in this area through the use of point-of-use treatment devices. Commercially available water filter pitchers could be purchased and distributed to customers for a relatively modest cost. It would be up to the customer to ensure the filter cartridges are replaced on a regular basis to ensure continued PFAS removal. Chairman Nagle asked why the Borough is not providing pitchers to the customers. Liesel Gross noted that the Borough is focused on their treatment upgrade project and getting the project moving as quickly as possible.

There was additional discussion about the various options presented by the staff. Ms. Gross said that if the Authority wishes to move forward with the interconnection option, the project would need to be authorized quickly. She noted that the staff will review the Board's feedback. If any action is recommended, it will be brought back to the Board for consideration in January.

Wynnewood Terrace WWTP Expansion – Developer Cost-Sharing Agreement

Chuck Volk presented the project and provided an overview of the Design Phase Agreement. Access Rising Sun Associates, LLC is planning a 110-unit residential development in North Whitehall Township and seeks to utilize the Wynnewood Wastewater Treatment Plant (WWTP) for public sewer service. However, the plant currently only has capacity for an additional 50 equivalent dwelling units (EDUs). With the need for an additional 60 EDUs, the plant would need to be expanded. The developer's engineer, Ebert and Associates, is proposing to add a third 30,000-gallon Sequencing Batch Reactor (SBR) tank as part of the core design of the plan expansion. Mr. Volk said the Authority has looked at the engineer's credentials and are comfortable with the design. Mr. Volk said the plant would have to be re-rated and approved through the Pa. Department of Environmental Protection. The developer will have to go through the permitting process and design

process at their own expense. Kevin Reid added that the Agreement does not create a contractual agreement with the Authority and the developer. It also is limited to the design of the project. The developer will also have to post \$25,000.00 escrow for any costs incurred by the Authority.

On a motion by Jeff Morgan, seconded by Linda Rosenfeld, the Board approved the Design Phase Cost-Sharing Agreement with Access Rising Sun Associates, LLC for the Wynnewood WWTP Expansion at no cost to the Authority (7-0).

MONTHLY PROJECT UPDATES / INFORMATION ITEMS

Liesel Gross reviewed the December report and noted there are no additional items listed for action in December because this is the last meeting of the year. The monthly Financial and System Operations reports will be distributed and posted online.

STAFF COMMENTS

Liesel Gross wished everyone a happy holiday and a healthy, prosperous New Year.

SOLICITOR'S COMMENTS

Kevin Reid wished everyone a happy holiday and a healthy, prosperous New Year.

PUBLIC COMMENTS / OTHER COMMENTS

None.

BOARD MEMBER COMMENTS

Chairman Nagle wished everyone a happy holiday.

Sean Ziller thanked everyone for all their hard work this year.

EXECUTIVE SESSION

None.

ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 1:24 p.m.

Jeffrey J. Morgan
Secretary