

REGULAR MEETING MINUTES December 8, 2025

The Regular Meeting of the Lehigh County Authority Board of Directors was called to order at 12:01 p.m. on Monday, December 8, 2025, Chairman Amir Famili 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. Amir Famili, Jeff Morgan, Sean Ziller, and Peter Dent were present for Roll Call and remained for the duration of the meeting. Linda Rosenfeld was present for Roll Call but left the meeting at 1:03 p.m. Ted Lyons entered the meeting at 12:04 p.m. and was present for the duration of the meeting.

Attorney Kevin Reid of the KingSpry law firm, the Authority's Solicitor, was present along with Authority Staff, Liesel Gross, Ed Klein, Andrew Moore, Chris Moughan, AJ Capuzzi, Chuck Volk, Phil DePoe, Taylor Stakes and Lisa Miller.

Chairman Famili 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

Liesel Gross stated there are no changes to the agenda and no Executive Session is planned.

APPROVAL OF MINUTES

November 10, 2025 Meeting Minutes

On a motion by Linda Rosenfeld, seconded by Jeff Morgan, the Board approved the minutes from the November 10, 2025 meeting as presented (5-0).

PUBLIC COMMENTS

None.

Collective Bargaining Agreement: SMART Local 19

Liesel Gross provided a brief overview of the Collective Bargaining Agreement between the Sheet Metal, Air, Rail and Transportation Workers (SMART) 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. She reviewed adjustments made to the contract related to the career path program, wages, and benefits. She noted several changes were made to ensure equity and consistency in policies across the organization.

Ted Lyons asked if holidays, personal holidays, and vacation days are all the same throughout the organization. Ms. Gross explained that the SMART and non-union paid time off allowances will be the same after these contract adjustments are made, but the SEIU contract includes some differences. There was some additional discussion about the levels of paid time off and the discipline and discharge section of the contract.

On a motion by Amir Famili, seconded by Linda Rosenfeld, the Board approved the new Collective Bargaining Agreement with SMART for the years 2026 through 2028 in the substantial form presented, allowing for the Chief Executive Officer to sign the agreement with such minor non-

substantive revisions, if any, as approved by the Chief Executive Officer in consultation with the Authority Solicitor (6-0).

Resolution 12-2025-1: 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, 2026.

On a motion by Linda Rosenfeld, seconded by Ted Lyons, the Board approved Resolution No. 12-2025-1, 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 (6-0).

Boston Beer Pretreatment Services Agreement, Addendum No. 4

Liesel Gross provided background of the wastewater capacity and treatment agreement with Boston Beer Corporation (BBC) that has been ongoing since 2005. The current agreement with BBC expires on December 31, 2025. In 2024, BBC announced that they would be developing their own on-site pretreatment facility that would start-up in 2027. A six-month review period will follow the BBC pretreatment facility start-up to allow for any operational adjustments necessary to achieve required plant performance. Addendum No. 4 is a shorter-term agreement that will allow BBC continued use of the Authority's Industrial Pretreatment Plant (PTP) until their flows and loads are removed from the system in 2027 or shortly thereafter. Ms. Gross noted that Section 4 of the agreement specifies how BBC will contribute toward capital improvements at the Authority's PTP during this interim period.

There was some Board discussion regarding the permitting process for BBC's new facility and the ability to adjust BBC's sewer rate. Liesel Gross explained that there is flexibility to adjust the rate based on contract terms and subject to rate caps. The agreement is structured to ensure BBC pays a proportionate share of the Authority's PTP costs based on their flows and loads.

On a motion by Peter Dent, seconded by Jeff Morgan, the Board approved Boston Beer Pretreatment Services Agreement Addendum No. 4 in the substantial form presented, allowing for the Chief Executive Officer to sign the agreement with such minor non-substantive revisions, if any, as approved by the Chief Executive Officer in consultation with the Authority Solicitor (6-0).

Suburban Division Emergency Interconnection Agreement

Phil DePoe provided an overview of the Emergency Interconnection Agreement between the Authority and South Whitehall Township. He noted that the interconnection will enhance the system and allow for either system to assist the other during an emergency. The new agreement will have an expiration date of 10 years. The Agreement will also convey the main extending in the direction of the Authority side of the meter pit to the Authority as depicted in Exhibit A.

Amy Kunkel added that the Authority will put in two valves, two automated flushing stations and some electrical power will be needed for the flushers and for a sump pump in the pit. South Whitehall Township will compensate the Authority for half the cost for the work. Liesel Gross stated that the agreement mirrors other agreements the Authority has with South Whitehall Township for system interconnections.

On a motion by Sean Ziller, seconded by Jeff Morgan, the Board approved the Suburban Division Emergency Interconnection Agreement with South Whitehall Township (6-0).

Allentown Division – Water Filtration Plant: Fluoride System Upgrades

Amy Rohrbach provided an overview of the project to upgrade the existing fluoride chemical feed system at the Water Filtration Plant. The new day tank will have an automated filling system to reduce operator exposure. The upgrade will include a new chemical storage tank, a new day tank, new pumps, electrical, HVAC improvements, and controls for the pumps. Because the work is not easily accessible due to the location within the plant, overhead cranes will be needed to bring in the large equipment and tanks. New hatches will be installed to improve access in the future.

There was some discussion regarding the bid results, chemical usage, and fluoridation practices in the region. Liesel Gross noted that the City of Bethlehem and Borough of Northampton add fluoride to their water, along with the City of Allentown. Amir Famili asked for a review of safety protocols including information on the off-gassing that occurs during chemical decomposition. Andrew Moore said he would review the off-gassing question but assured the Board that standard operating procedures and personal protective equipment are in full use for this facility. Amy Rohrbach also reviewed the exhaust system enhancements that are included in the project, which will improve employee safety.

On a motion by Linda Rosenfeld, seconded by Ted Lyons, the Board approved the Capital Project Authorization – Water Filtration Plant Fluoride System Upgrade – Construction Phase in the amount of \$1,093,333.00 which include the General Construction Contract to Blooming Glen Contractors, Inc. in the amount of \$620,944.00, the Electrical Construction Contract to Blooming Glen Contractors, Inc. in the amount of \$152,497.00, the HVAC Construction Contract to Master Mechanical, Inc. in the amount of \$174,892.00, and the Professional Services Authorization for Construction Phase Services to Verdantas in the amount of \$80,000.00 (6-0).

KISS – Act 537: Western Lehigh Interceptor Parallel Survey

Phil DePoe provided background information regarding the parallel interceptor project that is slated for construction in the 2030s. He explained that Lower Macungie Township has expressed a desire to finalize a proposed walking trail concept along the Little Lehigh Creek, which will be co-located with the future parallel interceptor. The survey data from this pre-design phase will provide the basis for the future alignment of the proposed parallel interceptor, which can then be used by the Township for their trail development project. To move from initial assessment to preliminary planning, an accurate to-scale survey with property lines, easements, and other buried infrastructure needs to be completed. Once the survey is completed, the project will pause.

Jeff Morgan asked if there is a chance that a new trail could be constructed but then disturbed during the Authority's interceptor project. Phil DePoe said there is a chance of that happening.

On a motion by Jeff Morgan, seconded by Ted Lyons, the Board approved the Capital Project Authorization: WLI System – Parallel Interceptor Survey, Pre-Design Phase in the amount of \$494,000.00 which includes the Professional Services Authorization: WLI System – Parallel Interceptor Survey & Alignment Study to Arcadis in the amount of \$464,000.00 (5-0).

Suburban Division Industrial Pretreatment Plant Master Plan

Liesel Gross reviewed the memo submitted to the Board, which outlines the historical barriers to investment in the Authority's Industrial Pretreatment Plant (PTP) and solutions to ensure a sustainable operation in the future. The approaches outlined in the memo require participation by current industrial and hauled-waste customers, municipal partners, and other regional agencies. The level of commitment needed to move forward has not been received at this time, which puts the

future of this facility at risk. She noted that the discussions have begun in earnest, and the Authority's Board should be prepared to move quickly to help our potential partners come to the table and bring these important considerations to a conclusion.

Ms. Gross then reviewed a presentation of the financial details. Ms. Gross stated that the success of the facility relies on the partnership with the municipalities. An urgent decision is needed by January 2026 so that Boston Beer can move forward with design of their new on-site pretreatment facility, as discussed earlier in the meeting. She provided financial details for the operational and debt service cost projections, upfront capital cost contributions, updated cost sharing approach, updated surcharge rates, and hauler program optimization.

There was some discussion regarding capacity and future growth, interest by Upper Macungie Township and the County of Lehigh to support this project, and tapping fees. Ted Lyons asked about the regional benefit of the Authority's PTP that would justify capital contributions coming from the municipal partners. Ms. Gross provided an overview of job creation, regional economic output, and environmental considerations for this facility, noting that many communities without public sewer also rely on the facility for economical disposal of septic tank waste.

Amir Famili asked about an increase in the hauler fees. Charles Volk said the last hauler increase was done in 2024. Ms. Gross added that a modest increase occurs every two years or so. Mr. Famili also asked how the hauler program costs compare to revenue. Ms. Gross said that the hauler program is profitable on an operational basis but does not support the addition of debt service for major PTP upgrades.

There was additional discussion regarding financial responsibility for the PTP. Ms. Gross said that the Authority has been in negotiations with the industries regarding their share of the cost responsibility and also discussed having the industries enter into financing agreements with the Authority to pay for the upgrades to the PTP. However, the industries have stated they are unable to enter into financial agreements with the Authority. Therefore, the Authority has shifted the focus into a regional municipal cost-sharing approach whereby the participating municipalities will be billed through their surcharge rate to high-strength dischargers.

More discussion followed regarding the feasibility of reaching a conclusion on the PTP projects in January 2026.

Allentown Division – Kline's Island WWTP Plastic Media Trickling Filter Rehabilitation – Change Order

Amy Rohrbach provided an overview of the project to replace the plastic media trickling filters at the Kline's Island Wastewater Treatment Plant. After a thorough structural inspection by CHA, the inspection revealed degradation and rusting of the Corten steel on the inner faces of the girts. Therefore, CHA recommended that all girt sections be coated with a sealer specific to Corten steel to prevent further rusting and extend the life expectancy of the girts. The total increase to the contract with Allan Myers, L.P. is \$263,142.00. The process needs to be done prior to the replacement of the media and is time sensitive.

On a motion by Peter Dent, seconded by Ted Lyons, the Board approved the General Construction Change Order to Allan Myers, L.P. in the amount of \$263,142.00 (5-0).

MONTHLY PROJECT UPDATES / INFORMATION ITEMS

Liesel Gross stated that all the items in the December report have been addressed. In January, a safety report will be provided to the Board along with the Munis software implementation update. Some of the projects in Section 3 of the report are in project closeout.

STAFF COMMENTS

Liesel Gross informed the Board that the Authority is engaged in the review of several large developments within the service area, including at least one data center. The Authority is seeking information from the developers regarding their water and wastewater requirements. Currently there are no specific details to share but as they become available, she will share them with the Board. She also informed the Board of the four major retirements that are occurring. She acknowledged Wanda Patino, Tammy Mazsa, Tom Williams, and Linda Eberhardt for their long careers and dedicated service to the Authority. The Board thanked them for their service. Ms. Gross wished everyone a happy holiday and thanked the Board for their support in 2025.

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 2:11 p.m.

Linda A. Rosenfeld
Secretary