

## **REGULAR MEETING MINUTES**

### **December 12, 2016**

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The Regular Meeting of the Lehigh County Authority was called to order at 12:13 p.m. on Monday, December 12, 2016, Chairman Brian Nagle presiding. Other Members present at the commencement of the meeting were: Linda Rosenfeld, Kevin Baker, Richard Bohner, Norma Cusick, Ted Lyons and Deana Zosky. Authority Staff present were Liesel Gross, Frank Leist, Ed Klein, Pat Mandes, Brad Landon, John Parsons, Chuck Volk, Phil DePoe and Lisa Miller.

#### **REVIEW OF AGENDA**

Liesel Gross informed the Board that the Monthly System Operations Overview for November was distributed prior to the meeting. Ms. Gross stated there are two items for Executive Session related to potential litigation and personnel.

Brad Landon stated that the Resolution that was sent with the Board packet had the wrong date on it. It has been corrected with the correct date for signing.

Scott Bieber arrived at 12:15 p.m.

#### **APPROVAL OF MINUTES**

##### **November 28, 2016 Regular Meeting Minutes**

Richard Bohner suggested a correction on page two, fourth paragraph second sentence that the word *need* be changed to *needs*. Also, any votes taken after Deana Zosky left the meeting at 1:30 p.m. should be noted as 6-0 not 7-0.

On a motion by Richard Bohner, seconded by Norma Cusick, the Board approved the Minutes of the November 28, 2016 meeting as revised with the above noted changes (7-0). Brian Nagle abstained.

#### **PUBLIC COMMENTS**

Jan Keim, Salisbury Township, provided family anecdotes about the Little Lehigh Creek by Keck's Bridge at a time when she perceived it to be cleaner and with higher flow, noting her concern that rapid development and poorly maintained sewer systems are the cause of degraded water quality and flows.

John Donches, Emmaus asked that the Board meetings start promptly at noon.

Robert Hamill, Lower Macungie Township also asked that the Board meetings start at noon. He also commented that Board actions taken too quickly due to the mid-day meeting time could result in the Board members being liable for falsehoods included in bond issues that detail certain maintenance requirements that may not be met. He also commented that the Little Lehigh Creek is being run dry and used as a sewer, and that the Authority should be shutting down its wells per the warning from Mike Siegel.

#### **ACTION AND DISCUSSION ITEMS**

Chairman Nagle announced Frank Leist's retirement, effective December 16, 2016, and thanked him for his 26.5 years of service to the Authority. Mr. Leist thanked the Board and stated that Chuck Volk will be his replacement.

##### **2017 Meeting Schedule**

Liesel Gross stated that possibly as early as January, the Authority's Board meetings will be recorded and posted to the internet through the Authority website. Details are still being worked out. When completed, the agenda will need to change and note that the meeting is being recorded for disclosure purposes.

Deana Zosky commented that noon meetings are not convenient for some people and wants consideration of evening meetings for the convenience of the ratepayers and for public attendance and participation. Ms. Zosky thought the Authority had put a poll on the website asking for customer input. Liesel Gross said that the Authority had opted to conduct a few evening meetings on special topics of high interest to the public in 2016 to gauge public participation, which was minimal. Ms. Gross agreed to develop a survey on this issue in January. Brian Nagle discussed the meeting start time and asked if the Board lunch could be made available at 11:30 a.m. so the meetings could begin promptly at Noon. The Board agreed this would be a workable solution to ensure a timely start to the meetings.

Brad Landon stated that the Board must adopt and advertise a meeting schedule prior to the beginning of the year. Any changes made to the schedule will then need to be re-advertised, which can be done if the Board chooses to change the meeting time based on the results of the survey.

On a motion by Norma Cusick, seconded by Linda Rosenfeld, the Board approved the 2017 Board meeting schedule (8-0).

Linda Rosenfeld noted that she will not be able to attend the April 10, 2017 meeting.

#### **Resolution #12-2016-1**

Brad Landon reviewed the Resolution which designates particular employees as authorized persons to perform Authority financial transactions. The Resolution is necessary due to the retirement of Frank Leist as Chief Capital Works Officer and the appointment of Chuck Volk to that position.

On a motion by Norma Cusick, seconded by Linda Rosenfeld, the Board approved Resolution #12-2016-1 (8-0).

#### **Water Supply / Drought Planning Update Discussion**

Liesel Gross stated that the Staff met with Al Guiseppe to discuss several ideas for the Authority's water supply sustainability. Al Guiseppe, Director of Water Resources for Spotts, Stevens & McCoy was present and gave a PowerPoint presentation. The presentation reviewed his recommendations for two separate studies that would, 1) establish local drought triggers, and 2) develop additional monitoring data that would be helpful in characterizing the Little Lehigh Creek and groundwater flows. For the second study, Mr. Guiseppe is proposing the Authority develop a plan using a combination of groundwater data and stream gages to establish a baseline, and find community partners and volunteers to assist in the monitoring efforts. The Authority has a proposal from Mr. Guiseppe to develop a plan for both objectives, and the staff will have him move forward with this work.

Mike Siegel voiced his concerns about relying on yields of the wells in a Karst area and also concerns about the number of storm basins built in the watershed that store rainwater instead of allowing it to percolate and recharge the aquifer.

Jan Keim commented on impervious surface and resulting lack of groundwater recharge.

#### **Review of Administrative Order Improvements Discussion**

Liesel Gross reviewed the purpose of the presentation and provided a PowerPoint presentation overview. An integrated program has been developed to address four primary goals associated with eliminating sewer system overflows to achieve compliance with USEPA Administrative Order: address the root cause, build network to handle peak flows, effective treatment of wastewater, and ongoing maintenance. The components of the Allentown Lease and other aspects of the Authority's roles and responsibilities were discussed. Ms. Gross explained the blending scenario, which is a component of the City of Allentown's proposed plan for addressing peak wet-weather flows at the City's wastewater treatment plant. She explained that the staff supports blending and provided some additional information about the advantages and disadvantages of both the blending and flow equalization options at the Allentown wastewater treatment

plant. However, because of the terms of the lease agreement with Allentown, the City retains responsibility to determine what improvements are made at the facility.

Jan Keim stated that raw sewage is raw sewage.

Richard Bohner asked how the excess flow is controlled. Liesel Gross explained that it is treated in the beginning of the process and at the end of the process so that all discharges meet permit requirements. The Board discussed the blending process.

Deana Zosky stated she does not support blending and is against the strategy of blending and commented that if the Authority is committed to cleaning up the stream and then allows for blending, this does not fix the problem. She also commented that the U.S. Environmental Protection Agency (EPA) and Pennsylvania Department of Environmental Protection (DEP) are opposed to blending and the Authority should follow current regulations in this regard. Liesel Gross clarified the EPA does not oppose blending and has permitted it in other locations. Ms. Zosky feels the solution, in the long term, should be to eliminate the need for holding tanks but in the short term, we need to utilize those storage tanks and fix the problem and not put any sewage into any stream. Then do the required maintenance over the long term to make sure it never happens again.

Scott Bieber disagreed and said that the City is not making an impact on the Lehigh River flood flow any worse by blending, and should pursue blending as the less expensive alternative to protect water quality.

Brian Nagle explained that the Authority, in Phase 1 of the Administrative Order, is addressing the long term solution to the problem.

Liesel Gross reminded the Board that blending is an "end of pipe" solution that will not address upstream sewer overflows. She explained that the Authority's priority should be to focus on the work upstream to reduce the peak flows and address the bottlenecks in the system so that the Little Lehigh Creek is protected from sewer overflows, which is a common goal of all Board members.

Norma Cusick asked at what stage of work are the other municipalities in fixing their sewer collection systems. Pat Mandes explained that the Authority is heavily involved in planning the work being done by the Western Lehigh municipalities, but not easily able to track the work of the other City signatories. She said that the Authority does not have a list of planned projects from the other municipalities, but the municipalities will be meeting monthly in 2017 and the Authority will work on additional information sharing on this topic.

Chairman Nagle called a break at 2:28 p.m. The meeting reconvened at 2:38 p.m.

#### **Allentown Division – Kline's Island WWTP Phase 1 AO Improvements – Conceptual Design Development**

Phil DePoe gave an overview of the project. The project is related to the USEPA Administrative Order and will be funded by the City. He is requesting approval of the Professional Services Authorization to Kleinfelder to develop conceptual design for the Phase 1 Administrative Order (AO) alternative improvements to the Kline's Island Wastewater Treatment Plant in the amount of \$149,820.00.

On a motion by Norma Cusick, seconded by Scott Bieber, the Board approved the Professional Services Authorization to Kleinfelder to develop conceptual designs for the Phase 1 Administrative Order (AO) alternative improvements to the Kline's Island Wastewater Treatment Plant in the amount of \$149,820.00 (7-1). Deana Zosky opposed.

Richard Bohner asked for an update on the Suburban Division Western Weisenberg Wastewater Treatment Plant Improvements project. Frank Leist reported that one basin was completed a month ago. The second basin is being filled and will be complete shortly.

#### **PROJECT UPDATES/INFORMATION ITEMS**

No questions or comments.

**MONTHLY FINANCIAL REVIEW**

Ed Klein reported that November is still closing. Liesel Gross noted a Finance Committee meeting will take place prior to the January 9, 2017 Board meeting.

**SYSTEM OPERATIONS OVERVIEW**

John Parsons reviewed the November 2016 Operations report that was attached to the Board agenda.

**STAFF COMMENTS**

None.

**SOLICITOR'S COMMENTS**

None.

**PUBLIC COMMENTS / OTHER COMMENTS**

None.

**EXECUTIVE SESSION**

Chairman Nagle called an Executive Session at 2:52 p.m. to discuss potential litigation and personnel. No motions were expected.

Authority Staff were excused prior to the discussion regarding personnel.

The Executive Session ended at 4:02 p.m.

**ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 4:02 p.m.

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Richard H. Bohner  
Secretary

# RESOLUTION No. 12-2016-1

(Duly adopted 12 December 2016)

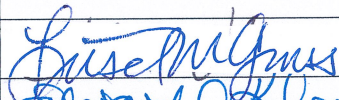

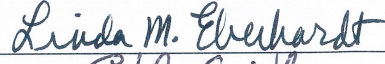

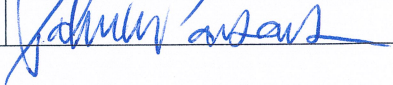
## ***A RESOLUTION SPECIFYING PARTICULAR EMPLOYEES AS AUTHORIZED PERSONS TO PERFORM AUTHORITY FINANCIAL TRANSACTIONS FUNCTIONS***

WHEREAS, Lehigh County Authority (hereinafter the "Authority") Board of Directors (the "Board") periodically takes action designating particular staff positions to fulfill certain responsibilities under Authority policies, procedures, rules, etc.; and

WHEREAS, to reflect the retirement of the present Chief Capital Works Officer, Frank Leist, and appointment of his replacement, the Board wishes to update its standing resolution naming specific persons as the Authorized Persons for financial transactions with banks and other financial institutions;

NOW THEREFORE, it shall be resolved that the following persons are duly appointed Authorized Persons or otherwise authorized to act on behalf of the Authority in the capacities set forth below and that the following original signatures are genuine in all respects:

### **AUTHORIZED PERSONS**

<i>Name of Authority Employee</i>	<i>Title / Position</i>	<i>Specimen Signature</i>
Liesel M. Gross	Chief Executive Officer	
Edward C. Klein	Chief Financial Officer	
Linda M. Eberhardt	Accounting Supervisor	
Charles E. Volk	Chief Capital Works Officer	
John W. Parsons	Chief Operations Officer	

On motion of Ms. Cusick, seconded by Ms. Rosenfeld, this Resolution was adopted the 12<sup>th</sup> day of December 2016.