

**REGULAR MEETING MINUTES**  
**November 28, 2012**

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The Regular Meeting of the Lehigh County Authority was called to order at 12:30 p.m. on Monday, November 28, 2012, Chairman Asa Hughes presiding. Other Members present at the commencement of the meeting were: Richard Bohner, Brian Nagle, Norma Cusick, and Thomas Muller. Authority Staff present were: Aurel Arndt, Joseph McMahon, Frank Leist, Bradford Landon, Liesel Adam, Douglas Young, Pat Mandes, Ed Bielarski, and Cristin Garger.

**REVIEW OF AGENDA**

Mr. Arndt stated there were three additional items to be addressed following the regular agenda items

**EXECUTIVE SESSION**

Mr. Arndt stated two of those items, which relate to personnel and a potential real estate transaction, would be addressed in an Executive Session.

**PUBLIC COMMENTS**

None.

**APPROVAL OF MINUTES**

**October 8, 2012 Workshop Meeting Minutes**

On a motion by Mr. Bohner, seconded by Ms. Cusick, the Board unanimously approved the minutes of the October 8, 2012 Workshop Meeting (5-0).

**ACTION AND DISCUSSION ITEMS**

**Western Lehigh Interceptor (WLI) User Fee Report**

Ms. Mandes noted that the report was originally mailed to the Board on October 19, 2012. She summarized the report, noting there will be a 2.6% increase for a typical residential user. Ms. Mandes also noted that the Signatories have seen the report and have not submitted any comments. She stated that approval of the User Fees will be included in the adoption of the 2013 Budget in December unless there are any objections or changes that arise during the budget finalization.

Board members had no objections.

**2013 SCARP Program Management** (Approval)

Ms. Mandes referred to the attached memorandum, summarizing the inflow and infiltration ("I & I") work that has been done to comply with the EPA 2009 Administrative Order to eliminate sewer system overflows ("SSOs") in the Authority system. She explained there are program management tasks required throughout the year that are not defined in a particular approved task. This work includes on-call services, EPA semi-annual report, attending meetings with DEP, attending meetings with the I & I committee or I & I Engineer's Subcommittee, and other coordination or assistance as needed. A total "Not to Exceed" cost of \$50,000 is proposed for 2013.

On a motion from Mr. Muller, seconded by Mr. Bohner, the Board unanimously approved a Capital Project Authorization, which includes a Professional Services Authorization for Malcolm Pirnie/Arcadis, not to exceed \$50,000 (5-0).

**Vera Cruz Area Sewer Project** (Approval)

Mr. Leist referred to the memorandum attached to the Board Notes regarding the aforementioned project. He stated that the project construction is now complete and approximately 241 of the 261 properties in the Project Area have connected to the new sewer system. For over four months, the LCA Project Team and PACT, the contractor that installed the sewer system, have been negotiating a justifiable price for additional work performed primarily related to additional paving restoration required by PADOT Directives. That discussion resulted in a Change Order in the amount of \$194,961.23. Mr. Leist noted that total change orders were approximately 10.2% of the approved contract amount, of which 8.4% was from PADOT directives.

On a motion from Mr. Nagle, seconded by Mr. Muller, the Board unanimously approved the Change Order LP –12 in the amount of \$194, 961.23; and a final total PACT contract price for the Vera Cruz Project of \$2,470,000 (5-0).

### **SYSTEM OPERATIONS OVERVIEW**

Mr. McMahon explained ramifications to the Authority systems resulting from Hurricane Sandy and noted that the Authority was very fortunate to be able to borrow generators from other government entities in order to keep all systems and the Operations Center running.

### **STAFF COMMENTS**

#### **North Whitehall Township – Act 537 Conditional Approval**

Mr. Arndt stated that the “Friends of Jordan” group has appealed the North Whitehall Township (NWT) Conditional Approval, claiming the NWT has conflicts of interest regarding the project and there is a potential hardship to the community. He noted that this appeal is against the NWT, not the Authority.

#### **Resolution 11-2012-1 – CFO Position**

Mr. Landon stated that this Resolution explains that the duties of the Business Manager will be assumed by the newly created position of Chief Financial Officer upon the retirement of the Authority’s Business Manager.

On a motion from Mr. Muller, seconded by Mr. Nagle, the Board unanimously adopted Resolution 11-2012-1 (5-0).

### **SOLICITOR’S COMMENTS**

No other comments.

### **OTHER COMMENTS**

No comments.

### **EXECUTIVE SESSION**

The Chairman called for an Executive Session at 1:19 p.m. to discuss a potential real estate transaction.

The Session ended at 2:25 p.m.

On a motion from Mr. Bohner, seconded by Ms. Cusick, the Board unanimously approved a Professional Services Authorization for McNees, Wallace and Nurick, LLC in the amount of \$50,000 for legal services related to the Allentown Lease Concession proposal process and potential negotiations (5-0).

The Chairman called for an Executive Session at 2:27 p.m. to discuss a personnel matter. All staff members exited the meeting with the exception of Mr. Arndt.

The session ended at 2:37 p.m.

**ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 2:38 p.m.

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Richard H. Bohner  
Secretary