

REGULAR MEETING MINUTES
March 13, 2017

The Regular Meeting of the Lehigh County Authority was called to order at 12:01 p.m. on Monday, March 13, 2017, Chairman Nagle presiding. Other Members present at the commencement of the meeting were: Linda Rosenfeld, Kevin Baker, Tom Muller, Richard Bohner, Norma Cusick, and Scott Bieber. Authority Staff present were Liesel Gross, Brad Landon, Chuck Volk, Ed Klein, John Parsons, Chris Moughan and Lisa Miller.

REVIEW OF AGENDA

Liesel Gross announced that today's Board meeting is being videotaped and streaming live which, if successful, will then be posted to the Authority's website. A statement regarding the live video recording is noted on the agenda and signage is placed in the room to inform anyone attending that the meetings are being recorded.

Ms. Gross also announced there will be an Executive Session regarding potential litigation.

APPROVAL OF MINUTES

February 27, 2017 Regular Meeting Minutes

On a motion by Richard Bohner, seconded by Norma Cusick, the Board approved the Minutes of the February 27, 2017 (5-0). Brian Nagle and Scott Bieber abstained.

PUBLIC COMMENTS

None.

ACTION AND DISCUSSION ITEMS

2017 Goals

Liesel Gross presented a PowerPoint presentation and gave an overview of the 2017 Goals. Using the Effective Utility Management (EUM) framework, she explained the methodology that Authority Staff used to select four EUM attributes to focus on: Product Quality, Financial Viability, Infrastructure Stability, and Employee & Leadership Development. Ms. Gross explained the long-term view, which is to establish measures for each attribute area, develop ways to leverage technology within all goal areas, look out through 2020 to develop longer-term plans in these (and other) areas, and have Board input on these and other community focused EUM attributes. All of these will help build a culture of continual improvement.

Ms. Gross questioned whether the Board is comfortable with the goals as outlined or are there other areas they would like to dig into deeper. She also asked for feedback on how often the Board would like to see progress reports on the goals.

Tom Muller commented that quarterly updates would be appropriate. Brian Nagle agreed and suggested that the report should contain information on any scope changes or challenges the staff encountered through the course of working on the goals. He also stated that the Board should view the goals as a way to measure performance of the organization and the chief executive officer.

Richard Bohner asked if the Authority maintained a goal of providing service to all customers who request it. After clarifying the question, Liesel Gross explained that maintaining water supply and wastewater treatment capacity to meet the needs of both current and future customers is a core component of the Authority's mission.

Kevin Baker noted that he would like to see the Authority consider environmental impact in its decision-making, although this may be achieved through project-specific presentations and analysis rather than as a specific or separate goal statement.

Eric Andreus, an employee of Nestle Waters, commented on Water Resource Adequacy attribute and feels the region is blessed with an abundance of water supply and would like to see more being done to protect it.

Mike Siegel, a resident of Lower Macungie Township, commented he would like to see more emphasis on water quality protection from the Authority. Mr. Siegel informed the Board that Lower Macungie Township recently passed an ordinance prohibiting injection wells.

Scott Bieber asked for an update on the plans to construct stormwater injection wells at the DCT Industrial Warehouse in Upper Macungie Township. Chuck Volk said Al Guiseppe of Spotts, Stevens and McCoy, the hydrogeologist consultant for the Authority, has reviewed the plan and written a review letter for this site and recommended that injection wells not be used. Mr. Volk said the developer has responded that the injection wells will only be used for water runoff from rooftops, which is in line with Mr. Guiseppe's recommendations. Mr. Bieber stated that it should be the Authority's policy to oppose all injection wells. Mr. Volk said the Authority can only make recommendations because injection wells are permitted by the state.

Drought and Water Supply Monitoring Program

Al Guiseppe was present and gave a PowerPoint presentation on the Drought Triggers and Water Supply Monitoring program. Spotts, Stevens and McCoy evaluated the various components of the LCA Western Lehigh – Central Division and Allentown Division water systems to determine an appropriate Drought Monitoring Criteria with recommendations for criteria that would trigger drought declarations by the Authority. He explained that based on those recommended trigger points, the Authority would be in a Drought Watch stage.

Mr. Guiseppe then reviewed his recommendations for a Watershed Monitoring Program that would enlist the assistance of volunteers and citizen scientists to support the implementation of the monitoring plan. Stream gages and monitoring wells would be installed throughout the Little Lehigh Creek basin to gather data on stream flows and groundwater levels to determine how they are linked as water travels through the basin.

Rebecca Kennedy, who coordinates the Master Watershed Steward Program, explained how volunteers from her program could be utilized to support the Authority's efforts.

Chairman Nagle asked Mr. Guiseppe for a cost estimate for implementing the plan. He said that Spotts, Stevens and McCoy would propose to coordinate the first year of the program, to provide four monitoring events for six stations, plus the purchase of equipment, and the cost is estimated to be \$35,000. This cost does not include the technology required to gather data automatically and transmit it to the Authority, so additional expense would be incurred for telemetry equipment and other technology support.

Mike Siegel, a resident of Lower Macungie Township, suggested using Spring Creek Pumping Station as a point to gather telemetry and flood data due to the amount of flooding in that area and also because of the availability of electricity at the site.

Eric Andreus, an employee of Nestle Waters, asked if LCA issues a drought declaration, would the conservation measures be the same as those in place when the state declares a drought. Ms. Gross explained that in the Authority's drought contingency plan, whether it's an Authority-declared drought stage or state-declared drought stage, the Authority would be following the same conservation measures for that stage. If a drought emergency is declared either by the Authority or the state water use restrictions would be in place up to and including implementing the water rationing plan that is included in the Authority's drought contingency plan. The Authority's drought contingency plan is required by the Pennsylvania Department of Environmental Protection.

Scott Bieber informed the Board that he contacted U.S. Geological Survey (USGS) via email regarding the costs for installing and maintaining stream gages. A copy of the response he received from USGS was provided to the Board.

Ms. Gross explained that the next step would be to reach out to municipalities and other stakeholders to determine what organizations may be interested in partnering with the Authority on this effort, since the watershed monitoring plan has useful implications for many potential partners. A more detailed implementation plan will then be presented to the Board.

Mike Siegel, as spokesman for the Lower Macungie Township Environmental Advisory Council (EAC), said he would present this information to the EAC. Ms. Gross asked Mr. Siegel to contact her and she would be happy to attend an EAC meeting to discuss it with the group as well.

PROJECT UPDATES/INFORMATION ITEMS

Liesel Gross brought to the attention of the Board items listed in the report for upcoming meetings. Ms. Gross noted that under Finance and Administration, the preliminary Compensation Study will be added to the March 27, 2017 agenda.

STAFF COMMENTS

Liesel Gross announced that this is Tom Muller's last meeting as an Authority Board member. Ms. Gross, the Board and Staff thanked Tom for his many years of service.

SOLICITOR'S COMMENTS

Brad Landon reminded the Board that Ethics Forms and Financial Disclosure Statements are due April 30, 2017, although he has received a majority of the Board members' forms already.

PUBLIC COMMENTS / OTHER COMMENTS

None.

The Chairman called a break at 1:29 p.m. The meeting reconvened at 1:35 p.m.

EXECUTIVE SESSION

Chairman Nagle called an Executive Session at 1:35 p.m. to discuss potential litigation. Attorneys Alessandra Hylander and Devin Chwastyk of McNees Wallace & Nurick LLC entered the meeting at this time.

The Executive Session ended at 3:01 p.m.

GENERAL SESSION CONTINUED

On a motion by Linda Rosenfeld, seconded by Scott Bieber, the Board approved the retention of Asterion Consulting, a forensic accounting firm, to conduct an independent review of the Authority's financial analysis related to its dispute with the City of Allentown regarding the lease of the City's water and sewer systems (7-0).

On a motion by Scott Bieber, seconded by Richard Bohner, the Board approved proceeding with filing for arbitration with the American Arbitration Association regarding its dispute with the City of Allentown regarding the lease of the City's water and sewer systems (7-0).

On a motion by Norma Cusick, seconded by Tom Muller, the Board requested that the staff prepare a report exploring the revenues and expenses associated with converting to monthly billing for both the Allentown and Suburban divisions (7-0).

ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 3:05 p.m.

Richard H. Bohner
Secretary