

**REGULAR MEETING MINUTES**  
**June 26, 2017**

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The Regular Meeting of the Lehigh County Authority was called to order at 12:00 p.m. on Monday, June 26, 2017, Chairman Nagle presiding. Other Members present at the commencement of the meeting were: Linda Rosenfeld, Kevin Baker, Norma Cusick, Scott Bieber and Deana Zosky. Authority Staff present were Liesel Gross, Brad Landon, Chuck Volk, Ed Klein, Pat Mandes, Chris Moughan, John Parsons, Phil DePoe, and Lisa Miller.

**REVIEW OF AGENDA**

Chairman Nagle announced that today's Board meeting is being videotaped and streaming live and recordings will be posted to the Authority's website.

Liesel Gross noted there are no Agenda changes and there will be Executive Sessions regarding potential litigation and also a real property transaction.

**APPROVAL OF MINUTES**

**May 22, 2017 Regular Meeting Minutes**

Liesel Gross read suggested corrections to the Minutes of May 22<sup>nd</sup> as submitted via email by Richard Bohner. On page two, second paragraph fourth line, the word should be *Spry* not *Spring* and under Allentown Division – Wastewater Treatment Plant: Security Upgrades, first paragraph third line, the word *projected* should be *project*.

On a motion by Norma Cusick, seconded by Linda Rosenfeld, the Board approved the Minutes of the May 22, 2017 meeting as corrected (5-0). Deana Zosky abstained.

**PUBLIC COMMENTS**

None.

**ACTION AND DISCUSSION ITEMS**

**Suburban Division – Pine Lakes Pumping Station Improvements**

Chuck Volk provided an overview of the project, which includes the conversion of the aged existing hydro-pneumatic station to a variable frequency drive controlled double-pumping system. It also includes the addition of a new 10,000 gallon steel non-pressure class underground water storage tank and other miscellaneous improvements. A supervisory control and data acquisition (SCADA) system will be installed to allow full remote control and monitoring of the facilities.

In response to a question from Mr. Nagle, Mr. Volk explained the difference between a hydro-pneumatic station and a variable frequency drive controlled double-pumping system.

On a motion by Kevin Baker, seconded by Norma Cusick, the Board approved the Capital Project Authorization – Construction Phase in the amount of \$540,994.00 which includes the General Construction Contract to DESCCO Design Construction Inc. in the amount of \$366,879.00, the Electrical Construction Contract to PSI Pumping Solutions, Inc. in the amount of \$81,300.00, the Professional Services – Construction Phase Engineering to JMT, Inc. in the amount of \$9,050.00, and the Professional Services – Construction Phase Inspection to Cowan Associates, Inc. in the amount of \$8,765.00 (6-0).

**Suburban Division – Asset Management Facility Upgrades**

Chuck Volk explained the upgrade project that consists of structural, HVAC, and electrical rehabilitation to nine water facilities and two wastewater facilities to prolong service life, satisfy current codes, and mitigate risk. The project is the result of the Suburban Division Asset Management Facility Condition Assessment

performed in 2016, which evaluated numerous water and sewer facilities and assigned risk ratings for each station based on probability and consequence of failure.

Mr. Volk explained that the scope of work was determined by the projects with the highest risk of failure. More detail about other projects related to asset management upgrades at the Authority's critical facilities will be provided in the draft Capital Plan provided at a future meeting.

On a motion by Norma Cusick, seconded by Kevin Baker, the Board approved the Capital Project Authorization – Construction Phase in the amount of \$961,796.00 which includes the General Construction Contract to JEV Construction, LLC in the amount of \$623,340.00, the Electrical Construction Contract to Blooming Glen Contractors in the amount of \$240,856.00, and the Professional Services – Construction Phase Engineering to D'Huy Engineering in the amount of \$37,600.00 (6-0).

### **Allentown Division – Pre-Lease Valve Replacements**

Phil DePoe provided an overview of the project, which includes the replacement of a minimum of 50 inoperable valves in multiple locations throughout the City of Allentown (COA) that existed prior to the lease agreement. The project is identified as Uncompleted Work in the lease and will be funded by the COA. The Board asked for an explanation of the cash flow process and how it works. Ed Klein explained the Authority does the work, pays for it, and then bills the COA using progress payments with 30-day terms.

On a motion by Linda Rosenfeld, seconded by Norma Cusick, the Board approved the Capital Project Authorization – Construction Phase in the amount of \$1,033,556.00, which includes the Construction Contract awarded to Wexcon, Inc., in the amount of \$881,030.00, and the Professional Services Authorization for Construction Engineering, Management and Inspection services Amendment No. 1 to Barry Isett & Associates, Inc. for \$17,526.00 (6-0).

### **Stormwater Injection Wells**

Liesel Gross used a PowerPoint presentation to report on a meeting held with the Pennsylvania Department of Environmental Protection (DEP), Lehigh County Conservation District (LCCD), and Authority staff to learn more about the permitting process for stormwater injection wells.

The U.S. Environmental Protection Agency issues permits for stormwater injection wells as Class V wells under their Underground Injection Control (UIC) Program. This is viewed as "permit by rule" process with limited public input or technical review or monitoring. Compliance with Class V permit requirements is typically self-regulated by the permit holder. DEP officials reported that this EPA authorization is usually in-hand prior to submission of more detailed stormwater management plans to a municipality, LCCD or DEP. DEP's Waterways & Wetlands Program reviews permit applications from the standpoint of earth disturbance and discharge permit criteria, which do not necessarily match up to the drinking water standards outlined in the EPA permit. While there is no formal process for the Authority to automatically be drawn into the process for impacts of injection wells on drinking water supplies, established procedures, such as working with LCCD and using data on source water protection (SWP) zones surrounding the Authority's water supplies, have been effective in bringing the Authority's concerns into the decision-making process. Additional opportunities exist to submit comment if a National Pollutant Discharge Elimination System (NPDES) permit is drafted and posted for public comment in the Pennsylvania Bulletin.

The Board has been concerned about the increasing number of permit applications. DEP said they welcome and encourage comments to be submitted that provide scientific evidence of potential impact to drinking water and will use submitted studies to defend a position denying or restricting a permit for a stormwater injection well. Liesel Gross explained there are a lot of studies showing water run-off impact to streams; however there is not a lot of data available showing impact of injection wells to streams or watershed impacts in general. Ms. Gross suggested the Authority explore the impacts of stormwater injection wells in Karst aquifers as part of the watershed monitoring project currently being designed.

On a motion by Scott Bieber, seconded by Deana Zosky, the Board approved adopting a policy opposing injection wells in our Karst geology and authorized Staff to take the proposed next steps as listed (6-0):

- Follow-up with LCCD to ensure strong partnership includes looping LCA in on stormwater injection wells proposed (not just those in a designated SWP zone).
- Continue to provide detailed data on impacts to drinking water as appropriate as part of the municipal and LCCD review process.
- Monitor the Pennsylvania Bulletin for information on injection well permit applications that have moved on to the DEP permitting phase, and repeat objections made previously if not addressed.
- Prepare and submit a “standard” objection to injection wells in Karst geology to be used in cases where specific SWP impacts are not identified.
- Include evaluation of stormwater injection well impacts to watershed monitoring project currently being designed.
- Prepare and submit a letter to all townships asking for their support in writing ordinances prohibiting stormwater injection wells.
- Other actions as necessary to support the Authority’s position opposing stormwater injection wells.

#### **Allentown Division – Manhole Collars with Water Tight Frame and Covers: Cycle 4**

Phil DePoe provided an overview of the project, which will install a frame and cover anchoring system for 10 aged brick manholes previously identified by COA staff. The selected anchoring systems are intended to eliminate sewage overflows during high flow events. Additionally, all manholes for this project will receive new bolt-down frames if not installed.

On a motion by Linda Rosenfeld, seconded by Norma Cusick, the Board approved the Capital Project Authorization – Construction Phase in the amount of \$58,000.00, which includes the Construction Contract awarded to Joao & Bradley in the amount of \$49,460.00 (6-0).

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

Liesel Gross brought to the attention of the Board items listed in the report for upcoming meetings and highlighted the two items for discussion under Finance & Administration for the July meetings.

#### **MONTHLY FINANCIAL REVIEW**

Ed Klein gave an overview of the May 2017 Financial Report, including a short PowerPoint presentation outlining key performance indicators.

#### **MONTHLY SYSTEM OPERATIONS OVERVIEW**

John Parsons reviewed the May 2017 Operations Report that was attached to the Board agenda. Norma Cusick asked if the Authority has been able to identify the source of its water loss. Liesel Gross responded that in the City of Allentown, all major losses have been identified and the remaining loss of 20% is suspected to consist mostly of smaller leaks and losses such as service line leaks or individual faulty meters. Kevin Baker asked if the Authority tracks the details about customer inquiries to determine drivers for the call volume and customer satisfaction. Ms. Gross responded that there is a manual tracking system in place and approximately 85% of the calls are billing related. The number of calls have gone down since the implementation of the online bill-payment system last year.

#### **STAFF COMMENTS**

Liesel Gross informed the Board of the Annual All-Employee meeting being held on July 19<sup>th</sup>. The meeting will include a tour of the Kline's Island Wastewater Treatment Plant at 11:30 a.m. which Board members are invited to attend.

**SOLICITOR'S COMMENTS**

Brad Landon commented on the meeting with DEP, noting that both DEP and LCCD stated they appreciate the Authority being progressive in its approach regarding stormwater injection wells and encouraged the Authority to continue to provide comment.

**PUBLIC COMMENTS / OTHER COMMENTS**

None.

Chairman Nagle called a break at 1:24 p.m. The meeting reconvened at 1:28 p.m.

**EXECUTIVE SESSION**

Chairman Nagle called Executive Sessions at 1:29 p.m. to discuss potential litigation and a real property transaction. Attorneys Alessandra Hylander and Devin Chwastyk of McNees Wallace & Nurick LLC entered the meeting at this time.

The Executive Sessions ended at 2:25 p.m.

**ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 2:25 p.m.

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Norma A. Cusisk  
Assistant Secretary