

**MINUTES OF THE
EASTON AREA JOINT SEWER AUTHORITY BOARD
September 16, 2024 Meeting**

- ❖ The regular monthly meeting of the Easton Area Joint Sewer Authority Board was held at 5:00 p.m. on Monday, September 16, 2024, at the EAJSA Administration Building, 50 South Delaware Drive, Easton, Pennsylvania 18042, with Zoom Meeting option. The meeting was open to the public.
- ❖ The meeting was called to order by Chairman, Mr. Robert Lammi. Mr. Lammi ordered the roll to be called at 5:00 p.m. Board Members were present in-person and via video conference option. Board members present at the call to order were as follows:

#	Member	Municipality	Term Expires	Present	Absent	Time Entered
1	Robert Blanchfield Treasurer	Palmer Township	12/31/2025	X		*
2	Jeffrey Bracken	Wilson Borough	12/31/2024		X	
3	Luis Campos	City of Easton	12/31/2025		X	
4	James Frank	Forks Township	12/31/2024		X	
5	David Hopkins Vice-Chairman	City of Easton	12/31/2028	X		*
6	Paul James	West Easton Borough	12/31/2024	X		*
7	Robert Lammi Chairman	Palmer Township	12/31/2024	X		*
8	Joseph Mauro Jr	City of Easton	12/31/2025	X		*
9	Stephen Riegel Secretary	Tatamy Borough	12/31/2024	X		*
10	John Van Arman	City of Easton	12/31/2024		X	
11	Robert Werner	City of Easton	12/31/2025	X		*
12	VACANT	City of Easton	12/31/2023			

*Beginning of Meeting

**Adjournment of Meeting

Board members attending via Zoom Meeting could hear each meeting attendee and be heard by each attendee.

❖ **The following personnel were in attendance:**

Mike Gaul (King Spry law firm, Authority Solicitor), Jeff Morgan (SC Engineers, Authority Engineer), John Schimmel (Authority Accountant), Chuck Wilson (City of Easton Operations Manager of WWTP), Alexandria Hoffman (City of Easton Assistant Operations Manager of WWTP, and Authority IPP Manager), Yuslenny Zorrilla (City of Easton Office Manager of WWTP, and Authority Administrative Assistant).

Ms. Hoffman introduced the new Assistant Industrial Pretreatment Program Manager, Olivia Bamford, she goes by her nick name, "liv." Ms. Hoffman stated that Ms. Bamford is doing an excellent job. Ms. Bamford provided the Board with her professional background which included her recent graduation in May from Lafayette College with a degree in Economics and Policy Studies with a concentration in Health and Environmental Policy. In addition, Ms. Bamford did her Internship at the City of Easton Community and Economic Development Department. Ms. Bamford is grateful for this job opportunity and expressed her gratitude to Mr. Hopkins for the introduction to it. Ms. Bamford is originally from Montgomery County but currently resides in Palmer Township.

❖ **Agenda and any Amendment Approval:**

A motion was made by Mr. Blanchfield and seconded by Mr. Riegel, to approve the posted agenda without any amendments. **Motion Carried (7-0).**

❖ **Minutes Approval:**

A motion was made by Mr. Werner and seconded by Mr. Riegel, to approve the minutes of the Board's August 19, 2024, regular meeting, as presented. **Motion Carried (6-0, with Mr. Hopkins abstaining).** Mr. Hopkins abstained from the vote because he was not present at the last Board meeting.

❖ **Courtesy of the floor:**

Ms. Hoffman confirmed that the Authority had not received any correspondence through phone, email, or mail for public comment at the meeting. No members of the public attended the meeting.

SOLICITOR'S REPORT

Attorney Gaul had no report.

ACCOUNTANT'S REPORT

Mr. John Schimmel, EAJSA Accountant, reported he had nothing more than the report he had submitted in the Board Packet. Mr. Schimmel stated the one item up for discussion but during the Finance Committee section, would be the 2025 Budget.

Mr. Morgan provided an overview of the City's and Authority's Wastewater Budgets. Mr. Morgan stated the Engineering Committee discussed the shortfall in the maintenance line item in the City's budget, and following past practice, Mr. Morgan suggested that the Authority pay the remainder of the sludge disposal bills for the rest of the year and then the City can internally transfer money from the sludge disposal line item in its budget to the maintenance line item in its budget. Mr. Schimmel stated that after the Audit is completed the money paid for sludge from the contingency line item in the Authority's budget is moved to the sewage treatment expense line item.

Mr. James made a motion, seconded by Mr. Hopkins, to approve paying the WWTP's Sludge bills for the rest of the year directly through the Authority's contingency line item in the budget, instead of through reimbursement to the City. **Motion Carried (7-0).**

Mr. James made a motion, seconded by Mr. Riegel, to approve the August 2024 bills for payment in the total amount of \$43,790.00. **Motion Carried (7-0).**

Mr. Werner made a motion, seconded by Mr. Blanchfield, to approve the Bond Funds Requisition 24-C2024-09 in the amount of \$5,394.00 in accordance with the Authority Engineer's recommendation. **Motion Carried (7-0).**

ENGINEERING COMMITTEE REPORT

Mr. Hopkins stated the Engineering Committee met on September 3, 2024. The Committee discussed the Financial Policy as well as some operating issues.

Mr. Morgan had some items for approval. Mr. Morgan elaborated on these items.

Hot Water Pipe Replacement Project

The Project was put out to Bid. Only two bids were received. Mr. Morgan contacted three of the plant's regular contractors who did not bid to find out why they did not bid. He was informed that, due to current market conditions and other commitments, none were able to take on the project.

Mr. Morgan stated that the pre-bid estimate for this project was between \$65,000.00 and \$70,000.00. The low bid of KC Mechanicals, Inc, was \$127,000.00, with a base cost of \$114,000.00 and also a \$13,000.00 allowance for materials testing, miscellaneous and/or unforeseen work. Mr. Morgan stated the importance of the project, and its costs, were discussed with the Engineering Committee at length. The view of the Committee and Mr. Morgan is that the pipes need to be replaced, not patched, at this point.

Mr. Morgan stated the recommendation was to request approval of KC Mechanicals, Inc's low Bid in the amount of \$127,000.00 for this project. In addition, Mr. Morgan stated the design Engineer, Atlas, provided a letter of recommendation. Mr. Gaul reviewed this bid and did not have an issue with it.

Mr. Lammi stated this project should get done to avoid an emergency in the future.

A Motion was made by Mr. Hopkins, seconded by Mr. James, to approve KC Mechanicals, Inc, low Bid in the amount of \$127,000.00 for the Hot Water Pipe Replacement Project. **Engineer Memorandum # 09-02. Motion Carried (7-0).**

Mr. Morgan presented his next item which had two parts to it.

The Lehigh River Force Main Replacement Project and Required Construction Easement

Mr. Morgan presented on the big screens a map of the Lehigh River to illustrate the Force Main Replacement Project and Required Construction Easement.

Mr. Morgan stated there is a 16-inch Force Main from 1928 that sits on the bottom of the riverbed. The main has had one or more leaks in the past and was previously repaired. The pipe now must be replaced. Mr. Morgan stated all permits are up to date and the Authority also received a million-dollar H2O grant to pay a portion of the project costs.

Mr. Morgan stated the second part of this item concerns a needed Construction Easement.

Mr. Morgan stated equipment for this work would be placed in the Larry Holmes building parking lot. Drilling operations will also occur at the location. Mr. Morgan stated members of the public should be able to park in adjacent parking lots without any issues. Mr. Morgan added that the HDPE pipe will be fusion welded in the park on the south side of the river and will be pulled back underneath the river.

Mr. Morgan stated Route 611 will not be affected in any way.

Mr. Morgan also used the map to elaborate on the work that will be done on the opposite side of the Lehigh River and the area where it will be done. Mr. Morgan stated the new HDPE force main pipe will be 18-inch diameter which has the same inside diameter as the existing 16-inch cast iron force main. Mr. Morgan added that the new pipe has a lower friction factor than the existing pipe and this will provide more capacity without having to upsize the pipe.

In addition, during construction, the existing 24-inch force main for the Second Street Pumping Station will be utilized and has the capacity for all flow to go through it. Mr. Morgan stated the 24-inch force main was installed

in the late 1970s and the one being replaced was installed between 1928-1929.

Mr. Hopkins asked if cameras should be put through at the end of the construction to confirm work was properly done. Mr. Morgan stated he was not certain, but it will not be an issue if it needs to be done.

Mr. James asked about the estimated time length of this project. Mr. Morgan stated that the entire project should take less than a year.

Mr. Morgan asked for approval of the draft Temporary Construction Easement Agreement, as revised by Attorney Gaul, for the Larry Holmes building parking lot area.

Mr. Morgan stated the goal is to put this project out to Bid and get the work done between January-May 2025. Mr. Morgan it should not interfere with Easton Market.

Mr. Morgan stated this project had to be delayed until the other project on the Canal was finalized, which occurred back in June of this year, and for the Grant to be available.

Mr. Lammi asked if the Grant funds are available now. Mr. Morgan stated this project will be done in a reimbursement mode.

There was discussion amongst Board members, Mr. Morgan and Attorney Gaul about the length of the term of the easement, how it should be stated, and what would be acceptable to the property owner. Mr. Hopkins stated he expected that the Larry Holmes Building owner would only agree to a term that would be based on the work that needed to occur in the parking lot area, and not the length of the entire project, which could be longer.

Mr. Gaul stated that the parties would need to work out the final details of how long the Easement's term would last and the Authority's restoration obligation would be stated. The Board understood that the Easement would be short in duration, and dependent upon what the property owner would be willing to agree to.

A motion was made by Mr. Hopkins and seconded by Mr. James to approve the substantial form of the Temporary Construction Easement and Authorize the Chairman to execute the Final Easement with such modifications as he deemed necessary or convenient in consultation with the Authority Solicitor and Engineer.

Engineer Memorandum # 09-03. Motion Carried (7-0).

Mr. Gaul asked about the Bid Specifications for the Project, Mr. Morgan stated all Attorney Gaul's suggestions to prior Bid Specifications were being added to the Project's Bid Specifications and will be ready for his review. Mr. Gaul stated the Covid-19 H2O Grant requirements should be reflected as well. Mr. Gaul added the specifications should reflect the federal procurement requirements, and the Specifications and bid results may need to be submitted to DCED prior to the Authority signing the Construction Contract.

A Motion was made by Mr. Blanchfield, and seconded by Mr. Riegel, to approve the Bid advertisement for the Lehigh River Force Main Replacement Project.

Engineer Memorandum # 09-03 (2). Motion Carried (7-0).

Mr. Morgan presented his last item for approval, which was a proposal from SPX for removal, inspection, and installation of Oxidation Ditch Mixer B2 for a cost in the amount of \$33,000.00. Mr. Morgan stated part of the replacement of this Mixer showed backsplash and endplay issues in the Gearbox. Mr. Morgan stated he received a quote from SPX, a contractor who repairs these boxes. Morgan stated emails were exchanged to determine if this should be considered an emergency or not.

Mr. Morgan stated that according to the Flender brand gearbox repair shop, if these repairs are not done now, it could incur more expensive repairs in the future and in the worst-case scenario could not be repaired and will have to be replaced instead.

Mr. Gaul stated that under the Municipal Authorities Act, a contract at this level of cost would typically need to be publicly bid, including advertising. Mr. Gaul stated there is a provision in the Municipal Authorities Act that allows advertising to be dispensed with in the event of an emergency. Court cases had also previously recognized that competitive bidding and advertising is not required when it is necessary to respond to an emergency. Mr. Gaul stated even during an emergency, however, an attempt should be made to ensure that the contract is at a reasonable price, including obtaining different quotes if possible. Mr. Gaul stated there should also be factual circumstances to support the conclusion that an emergency exists, and action is necessary, including for example the input of the Authority's Engineer and the plant operator.

Mr. Gaul handed out a draft Policy & Procedures on Authority Emergency Procurements. In addition, Mr. Gaul discussed different court cases and legal authorities involving emergency procurement.

Mr. Gaul stated that even if competitive bidding could be dispensed with due to the need to take immediate action, the Authority should be careful to comply with other applicable state statutes that could apply such as the Prevailing Wage Act.

Mr. Gaul stated that the fact that only one quote is available is not ideal; however, Mr. Morgan indicated that the costs of the proposal is comparable to the costs of similar prior work to remove and install a gearbox at the plant, which had been publicly bid, and that this proposal also included inspection, which was not a part of the prior work.

Mr. Wilson stated that the longer time this repair takes to get done, the more it will cost. Mr. Wilson added a situation with the Motor Control Center might come up where the Oxidation Ditch must be replaced and one Ditch must be taken out of service, and two Aerators are needed for each Ditch.

Mr. Wilson stated in his report A2 motor was repaired and reinstalled on August 8, 2024. Mr. Wilson stated it overheated and shut down. It was turned off and turned back on, running well, and being monitored at this time. The contractor will come down to look at it. Mr. Wilson specified it was the motor not the Gearbox.

Ms. Hofman added this could lead to another Aerator being off and cause an issue. Ms. Hoffman asked Solicitor Mr. Gaul if the protection of public health, safety, and welfare, included environmental conditions. Mr. Gaul stated yes.

Mr. Gaul stated that as Mr. Hopkins stated we must comply with all environmental regulations related to sewage treatment and discharge, which is a matter of health and safety. Mr. Gaul added Engineers and Plant Managers should provide their opinion on how issues should be addressed.

Mr. James asked how many vendors are available to fix the Authority's Gearboxes. Mr. Wilson replied only Flender repair shop at this time.

Mr. Werner stated that it is clear this repair should be done because it is a matter of initiative-taking and avoiding plant failure.

Mr. James stated the best option would be to spend \$33,000.00 to open, inspect and determine the extent of damage and possibly repair the Gearbox, as opposed to purchasing a new one for between \$200,000-250,000 dollars.

Mr. Wilson stated last inspection a technician stated it had to be taken to the shop for inspection, it could not be done on site. Mr. Wilson stated it is imperative to have six mixers, having only four has a risk of having solids and ammonia mixed in.

Mr. Morgan stated it could affect the shaft that goes down to the Aerators, damage to other areas is possible. Mr. Morgan stated there should be balance and distribution in the tank.

Mr. Blanchfield stated there is a risk to health and safety welfare safety that could be created here.

Mr. Lammi stated from a health and welfare perspective the Authority must do what is necessary to protect the river which is used for recreation by the public and used for drinking water by the Water Authority and municipalities, .

A motion was made by Mr. Werner and seconded by Mr. Hopkins to Declare State of Emergency for a Lack of Design Redundancy for Mixer and Authorize the SPX Contract for removal, inspection, and installation of Oxidation Ditch Mixer B2 Gearbox for a cost in the amount of \$33,000.00. **Engineer Memorandum # 09-04. Motion Carried (7-0).**

Mr. Gaul asked Mr. Morgan to obtain a Privilege Wage Determination for this work.

Mr. Morgan stated the Shed's work is coming out exceptionally good.

PRETREATMENT COMMITTEE REPORT

Mr. Mauro stated the Committee met on September 5, 2024.

Ms. Hoffman stated the Authority received a check on August 28, 2024, from UAE Petroleum for the 4th Quarter payment. To date, she has not received notice that the check was not honored by the bank. Hopefully, the 4th Quarter amount is now satisfied. Ms. Hoffman stated 1st Quarter bill is still outstanding but was contacted and told they are working on it.

Ms. Hoffman stated a score of 97.7% for 2023 Annual Report from EPA was received, plant is doing well. Mr. Morgan stated the second round of IPP bills will be going out beginning of October 2024.

FINANCE COMMITTEE REPORT

Mr. Blanchfield stated the Committee met on Thursday September 12, 2024, to discuss 2025 Budget with full attendance. Mr. Blanchfield expressed gratitude to Mr. Hopkins from the City of Easton as well as Mr. Morgan, Mr. Wilson, and Ms. Hoffman for arranging all necessary documents. Mr. Blanchfield stated the 2025 Budget has a very modest increase. Mr. Morgan stated the increase was .9%. Mr. Gaul asked how the Authority was able to achieve such a minimum budget increase. Mr. Hopkins stated Capital investment helped in maintaining cost expenses to a minimum. Mr. Wilson stated Chemicals usage was reduced.

Mr. Schimmel stated the Debt Service went down but there is a new Debt Service because of the new Bond Issue. Mr. Schimmel stated Mr. Morgan provided the flow data and it reflects Palmer Township will be affected the most. Mr. Schimmel stated the overall calculation where Easton will go down \$300,000, Wilson \$111,000, West Easton \$1,300, unfortunately for Palmer the amount goes up \$757,000 dollars.

Mr. Lammi stated the water flow and usage for Palmer Township was extremely high. This was used to calculate the 2025 Budget. Mr. Lammi had several meetings with Mr. Farley to discuss possible reasons for these high readings but has not received a satisfactory answer except that Plamer Township believes that they are the correct

numbers. Mr. Lammi has not received any form of communication from Mr. Farley with any further response. Mr. Lammi provided Mr. Farley with a graph from 2014, in 2022 numbers dropped but when back up again to the 700+ million. There still no reason provided for this change.

Mr. Schimmel stated the Auditors will provide a draft of the Audit report. In addition, minutes of all our Board meetings for 2024 were provided to them. Mr. Schimmel stated rebates will not go out until the Audit is completed.

INSURANCE REVIEW COMMITTEE REPORT

Mr. Lammi stated there is no report.

OPERATIONS REPORT

Mr. Wilson reported a Generator Switchgear update. Mr. Wilson stated BSI might have a spare Switchgear they can install and run wires and do the work they need to do.

ADDITIONAL REPORT

❖ Old Business: N/A

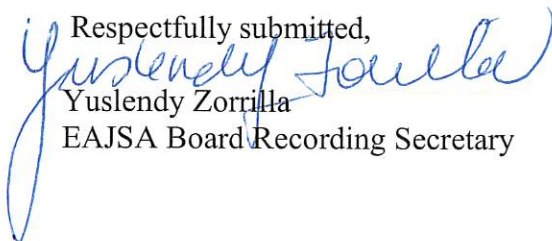
❖ New Business: N/A

Mr. Gaul stated draft Policy and Procedure for Limited Expenditure to Respond to Sewer System Emergency should be on the agenda for next month's Board meeting.

Mr. Lammi asked Mr. Gaul if there was a reason for an Executive Session. Mr. Gaul responded, there was not.

The meeting was adjourned on a motion by Mr. Werner and seconded by Mr. James, and unanimously carried, at 6:21 pm.

Respectfully submitted,


Yuselndy Zorrilla
EAJSA Board Recording Secretary