

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
March 21, 2007**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Wednesday, March 21, 2007, at the Authority's Administration office located at 7811 New Falls Road, Levittown, Pennsylvania, 19055.

Call to Order

Mr. Monahan, Chairman, called the meeting to order at 7:00 P.M., which was followed by the Pledge of Allegiance and a moment of silence for our troops over seas.

Roll Call

Mr. Chase, Secretary, took roll call as follows:

Board Member's Present: Mr. John Monahan
 Mr. Richard Adams
 Mr. James Chase
 Mr. Edward Czyzyk

Board Member's Absent: Mr. Anthony Verduci (Hip injury)

Also Present: Janet A. Keyser, Managing Director
 Deborah Magro, Administrative Secretary
 James A. Downey, III, Solicitor
 Gary Tosti, WWTP Plant Manager
 Susan Wallover, Pretreatment Coordinator
 William Ottey, Superintendent, WTP
 Vince Capaldi, Asst. Superintendent, WTP
 Robert Serpente, P.E., Consulting Engineer
 Phil Smythe, Field Technician

Public Participation

At this time no one in the audience wished to address the Board.

Approval - Payment of Accounts Payable - March 2007

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the Accounts Payable for March 19, 2007 as presented.
Motion carried unanimously.

Approval - Board Meeting Minutes – February 21, 2007

Motion

Question/Comment

Mr. Chase noted that on page six (6) of the minutes the first motion is not stated and needs to be included in the minutes.

Motion to Approve Board Meeting Minutes – February 21, 2007

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the Board meeting minutes of March 21, 2007 with the addition of the motion that was not stated in the February 21, 2007 minutes.
Motion carried unanimously.

Request for Pretreatment Variances

Mrs. Wallover reported on the following requests for Pretreatment Variances.

Café Kapadoyka – 1635 Haines Rd. Permit #129-2005 (8/18/2005 – 7/17/2006).

This facility was issued a NOV for failure to sample on 03/20/2006 and 04/27/2006, with Compliance Order issued on 11/06/2006. The facility sampled on 12/19/2006 for O&G and failed. The facility sampled again on 12/20/2006 and passed. Compliance Order issued again for failure to sample for O&G on 02/01/2007. To date no additional analysis has been received.

An interpreter for Mr. Ogut, was present and requested information in order to explain it to Mr. Ogut. Mrs. Wallover explained that the permit for Café Kapadoyka was issued August 2005 to August 2006. Mr. Ogut did not respond to the notices of violations that were issued for failure to perform the required sampling. It is now at the point where it is a Show Cause Hearing for termination of services. The permit expired in August 2006. Mrs. Wallover explained that in order to issue a permit, Mr. Ogut will need to take several samples in order to be in compliance. It was suggested that they contact a lab immediately to schedule testing and to keep in contact with Mrs. Wallover regarding the progress.

No motion was needed at this time.

Magic Touch Carwash – 16 Cinder Lane - Mr. Grzesnikowski (Owner Present)

The facility was required to perform a 12-hour sample for TTO and all local limits and attend the February Board meeting with results.

Mr. Grzesnikowski informed the Board that he received the results of the required testing and has given them to Mrs. Wallover. Mrs. Wallover indicated there were several parameters that were detected in terms of organics.

Many of the pollutants that were detected were of a petroleum base. These pollutants are entering our system. In regards to total TTO the maximum is 2.13; Mr. Grzesnikowski totals for TTO's are 0.11835 mg per L. There are two (2) that will especially need to be monitored and reported on. Many of these pollutants were considered hazardous waste as listed by the EPA. In terms of effluents, many do not have discharge limitations. No local limit is established. Mrs. Wallover further stated that this operation, or any other operation where it is an open bay, there is no control in the products that customers bring on site.

Mr. Grzesnikowski stated that he has reviewed the test results with Mrs. Wallover and agree that there are several pollutants. Dr. Rajput stated that it is difficult to predict when these types of facilities are going to have discharge or what type it is going to be. This one sampling is only an indicator of what happened that day. It is possible that you will have varying readings from season to season. Some type of long-term sampling data is required.

Mr. Monahan asked Dr. Rajput what he felt should be done. Dr. Rajput replied that he feels that possibly more sampling should be performed, possibly a minimum of once a quarter. It is very unpredictable. Clearly there are pollutants that are undesirable. We do not want those chemicals going to the plant. When tests are taken the results are presented to the DEP. They see the results. They see that we have exceeded our limits. We are then required to sample for the next five (5) years. The cost is considerable.

Mr. Monahan asked Mrs. Wallover for her input. Mrs. Wallover stated that this was the first sampling. If the Board is going to allow the discharge into the sewer system from this carwash, more monitoring is going to be required. Dr. Rajput stated that he would also like to develop some type of procedure as to how Mr. Grzesnikowski is going to control the introduction of the pollutant(s) into the system. Mr. Grzesnikowski indicated that a digital security system has been installed and all the bays are monitored. He also purchased signs to indicate the DEP regulations on dumping.

Question/Comment

Mrs. Wallover asked if this would be an annual permit. Mr. Monahan responded that it would.

Mr. Grzesnikowski asked if that would be the same testing that he just took. Dr. Rajput indicated that it was and that Mr. Grzesnikowski should be in contact with Mrs. Wallover to follow-up.

Mr. Adams stated that he would like to work with everyone he possibly can but what happens if Mr. Grzesnikowski is not in spec in the next test results. Would you then continue to run quarterly testing? Mr. Downey replied that is what would be done.

Dr. Rajput stated that once the test results are obtained, and if he sees a pattern, something that is going to effect the plant, then Mr. Grzesnikowski would need to do something to control it. Again it is very important to control the introduction of pollutants into the plant. This will give us an idea as to what is happening in the pattern and based on that then we can determine what steps to take next. Mr. Adams asked if Dr. Rajput felt that the next four (4) quarterly tests will be enough information to understand what we are doing. Dr. Rajput replied no, but it is some place to start. A carwash can vary from day to day. Quarterly testing will just supply you with a base from season to season but it will not be able to tell us what is happening on a daily basis. As Mrs. Wallover stated, if testing is performed on a monthly basis that would supply us with more data.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to accept 12 hour quarterly testing for all parameters for the Magic Touch Carwash, 16 Cinder Lane, Levittown, PA.
Motion carried unanimously.

Magic Touch Carwash of Fallsington – 1001 Trenton Road - Temporary Permit #009-2007 (1/2/2007 – 4/1/2007) Mr. Patel Owner Present.

The facility is requesting a reduction from sampling and testing requirements. Right now the facility is required to sample monthly for pH & Phenol and perform Local Limit and TTO analysis before the March, 2007 Board meeting. Facility performed a pH and Phenol test on 01/18/2007 and was within permit limitations however, the sample collection was slightly over a three (3) hour period. The Permit requires sampling from 7:00 AM to 7:00 PM (12 hour testing) as directed by the Board Directors at the September 2005 meeting.

Mr. Patel stated that he was able to contact QC Labs and they came out on February 27th and performed the 12-hour test. He received the results on March 14th and notified Mrs. Wallover. Mrs. Wallover stated that she received the test results today, 03/21/07. Mrs. Wallover stated that she has had a chance to review them and again the results were similar to the previous carwash.

Mr. Adams asked Mrs. Wallover for her recommendation. Mrs. Wallover stated that this facility was just recently sold to Mr. Patel in November 2006. This was his first test besides the monthly pH and Phenol test that was taken in January 2007. These results were fine, however, they were only based on a three (3) hour test.

Mrs. Keyser asked Mrs. Wallover if she would recommend that Mr. Patel perform the same testing as the previous carwash. Dr. Rajput stated that he feels that the same procedure should be followed for this facility as was set for the previous carwash. Mrs. Wallover stated that right now this facility has a temporary permit, therefore, the permit will need to be renewed.

Mrs. Wallover stated that she is assuming that it will be renewed with the same sample criteria as the pervious carwash. Mrs. Keyser stated that an Annual Permit will be issued only with quarterly monitoring and 12-hour sampling.

Motion

Mr. Chase made a motion, seconded by Mr. Adams, to grant a yearly permit to the Magic Touch Carwash 1001 Trenton Road, with the required twelve (12) hour quarterly testing.
Motion carried unanimously.

Solicitor's Report

Executive Session

At 7:30 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 8:46 P.M. with Mr. Downey stating during the executive session potential litigation and personnel matters were discussed.

Managing Director's Report

Mrs. Keyser stated during the executive session the status of Mrs. Farris, Assistant to the Director, being out on disability was discussed and how the Authority and the Administration office is going to move on to ensure that the business continues to flow. In speaking with the Board in executive session, and with their blessing, Lauren Marterella will temporarily cover and move into the position of Assistant to the Director at that pay raise, as well as upgrading Victoria Bleistein who will be performing payroll and other financial responsibilities will be upgraded as well until Mrs. Farris returns to work. Mrs. Keyser thanked the Board for their support, as well as thanking the Administration office staff for all of their help. Mrs. Keyser stated that it was determined in the executive session that both of these employees will receive retroactive pay.

Director of Operation's Report

Dr. Rajput reported on the following items.

Contract No., WWTP-261: Furnish and Supply Crushed Stone Aggregate to Lower Bucks County Joint Municipal Authority - Bucks County Consortium of Municipalities.

Bids were opened on February 2, 2007 by the Bucks County Consortium for the purchase of crushed stone aggregate, asphalt paving materials, and associated highway products. The bid results have been reviewed. The Authority mainly uses 2B ¾ stone and 2A stone mix. Eureka Stone Quarry, Inc., is the lowest bidder for the above-mentioned materials.

Based on review of the bid results it is recommended awarding contract No. WWTP-261, Furnish and Supply Crushed Stone Aggregate to Lower Bucks County Joint Municipal Authority - Bucks County Consortium of Municipalities to Eureka Stone, Inc., for a period beginning April 1, 2007 and ending March 31, 2008, as per the Specifications and General Conditions contained in the bid documents of the Bucks County Consortium of Municipalities.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to award Contract No. WWTP-261: Furnish and Supply Crushed Stone Aggregate to Lower Bucks County Joint Municipal Authority - Bucks County Consortium of Municipalities to Eureka Stone, Inc., for a period beginning April 1, 2007 and ending March 31, 2008, as per the Specifications and General Conditions contained in the bid documents of the Bucks County Consortium of Municipalities.
Motion carried unanimously.

Contract No. C-246: Furnish and Supply Chemicals for Lower Bucks County Joint Municipal Authority's Water and Wastewater Treatment Plants.

The Authority received a request from Univar USA, Inc., the supplier of fluorosilicic acid to the WTP to increase their current contract price by \$0.02, or the current price of \$0.2046 per pound, to \$0.2246 per pound for fluorosilicic acid that they supply under Contract No. C-246. The contractor is requesting this increase under a provision of "FORCE MAJURE" and TS section 1.3 of the contract. Based on review of the request and the information that was submitted, it is recommended to approve the contractor's request to increase the current contract price by \$0.02 per pound, or the current price of \$0.2046 per pound, to \$0.2246 per pound for the above mentioned fluorosilicic acid under the above mentioned provisions of the contract.

Question/Comment

Mr. Chase questioned if this is proper. Dr. Rajput responded that it is. There is a provision in the Contract under wages that they are able to request an increase. Mr. Downey further stated that there is in most contracts a "FORCE MAJURE" provision. It is revoked rarely; it is invoked more these days because of hurricanes, shut downs in natural gas refineries, shut down in oil refineries. It is written so that people who make long-term contracts do not wind up going out of business because they made such an agreement.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the contractor's request to increase the current contract price by \$0.02 per pound, or the current price of \$0.2046 per pound, to \$0.2246 per pound, for the above mentioned fluorosilicic acid under the above mentioned provisions of the contract as presented by Dr. Rajput.
Motion carried unanimously.

The remainder of Dr. Rajput's report is for information purposes and can be read at the Board's leisure.

Supervisor's Monthly Reports

Mrs. Keyser informed the Board that in their packets is the monthly report from Mr. Ottey, Superintendent, WFP.

Old Business

There was no old business brought before the Board at this time.

New Business

There was no new business brought before the Board at this time.

Public Participation

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There was no one from the Public that wished to address the Board.

Adjournment of Board Meeting

Mr. Adams made a motion, seconded by Mr. Chase, to adjourn the Board meeting at 9:50 P.M.
Motion carried unanimously.

Respectfully Submitted by:

James Chase, Secretary

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