

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY  
BOARD MEETING MINUTES  
March 19, 2008**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Wednesday, March 19, 2008, at the Authority's Administration office located at 7811 New Falls Road, Levittown, Pennsylvania, 19055.

**Call to Order**

Mr. Armstrong, 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 US Soldiers.

**Roll Call**

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

Board Member's Present: Mr. Edmund Armstrong  
Mr. John Monahan  
Mr. James Chase  
Mr. Anthony Verduci  
Mr. Edward Czyzyk

Also Present: Janet A. Keyser, Managing Director  
Pat Koszarek, Temp. Asst. to the Director  
Deborah Magro, Administrative Secretary  
Gary Tosti, WWTP Plant Manager  
Vince Capaldi, Superintendent, WTP  
Mike Perrone, Asst. Superintendent, WTP  
Phil Smythe, Field Technician  
Susan Wallover, Pretreatment Coordinator  
James A. Downey III, Esquire

**Approval of Payment of the March 2008 Accounts Payable  
Question/Comment**

**Motion**

Mr. Monahan made a motion, seconded by Mr. Chase, to approve the payment of the March 2008 Accounts Payable as presented.  
Motion carried unanimously.

**Approval - Board Meeting Minutes – February 20, 2008**

**Motion**

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the Board Meeting Minutes of February 20, 2008 as presented. Motion carried unanimously.

**Pretreatment Variances**

**Magic Touch Carwash – 16 Cinder Lane – Permit No. 010-2007 (4/1/07 – 3/31/08). Mr. Grzenikowski, owner present.**

This facility was previously required to sample every quarter for all Local Limit Parameters and TTO's. Mrs. Wallover reported that she has received three (3) analysis submittals: 06/28/07; 10/08/07 and 12/12/07. Mrs. Wallover stated that she received a variance request on 03/17/08 and requested the last sample analysis via email to Mr. Grzenikowski.

Mr. Grzenikowski stated that the permit is up for renewal at the end of the month. Testing has been done as required. Due to the economy, gas prices and the weather, financially the quarterly testing is placing a large financial burden on them. Mr. Grzenikowski is asking if the testing could be annual instead of quarterly.

Mrs. Wallover stated that she is not comfortable with annual testing. Carwashes change every day based upon their users.

Mr. Verduci asked in order to make it more cost effective for this facility, are there any tests that we could do away with. Mrs. Wallover responded that there were several tests that we could do away with, however, both facilities are running with chloroform as well as Tetrachloroethane also showing up.

**Motion**

Mr. Monahan made a motion, seconded by Mr. Chase, to table any action until the May 21<sup>st</sup> Board meeting in order to allow Mrs. Wallover and Dr. Rajput time to review and develop a list of parameters that the Authority is more concerned with. Motion carried unanimously.

**Magic Touch Carwash of Fallsington – 1001 Trenton Road, Fairless Hills, Pa. Permit No. 009-2007 (4/1/07 – 3/31/08) Neil Patel owner present.**

This facility was required to sample every quarter for all Local Limit Parameters and TTO's. Mrs. Wallover has received only three (3) analysis submittals; 6/28/07, 10/8/07, and 12/12/07. Mrs. Wallover received the variance request on 3/17/08 and sent the owner an e-mail for the last sample analysis.

**Motion**

Mr. Monahan made a motion, seconded by Mr. Chase, to table any action until the May 21<sup>st</sup> Board meeting in order to allow Mrs. Wallover and Dr. Rajput time to review and develop a list of parameters that the Authority is more concerned with.

Motion carried unanimously.

**Solicitor's Report – James A. Downey III, Esquire**

Mr. Downey advised the Board that he received information that the Commonwealth has increased the bid in advertising thresholds from ten to sixteen thousand and the quotation threshold from four thousand to ten thousand. Mr. Downey stated that he has looked at every website the Commonwealth has in order to confirm it, however, could not confirm this information. He will look further into it.

**Executive Session**

At 7:15 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 8:07 P.M. with Mr. Downey stating during the executive session personnel and litigation matters were discussed.

Mr. Downey requested a motion regarding discipline regarding employee number 1062.

Mr. Armstrong stated that this has been discussed at great length and asked Mr. Downey what the recommended discipline concerning falsification of company records as pertains to employee number 1062 is. Mr. Downey replied dismissal. At this time Mr. Armstrong asked for a motion.

No motion was made. Mr. Armstrong asked if anyone was willing to recommend another type of discipline. Mr. Downey stated that it is at the discretion of the Board. No motion/action was taken at this time.

**Managing Director's Report**

Mrs. Keyser reported on the following items.

**Field Crew Positions – WWTP Job Posting**

With the Board Director's direction and approval a job posting was posted February 21, 2008 to add two (2) additional field crew positions to the existing crew. Both positions have been filled by two (2) existing utility employees from the Wastewater Treatment Plant. Once these employees have qualified for the field crew positions their utility positions will be posted.

**Utility Position – WFP Job Posting**

A posting for the position of utility at the Water Plant was posted and awarded. The employee who was awarded this position was an operator. His position of operator will be posted once he qualifies for the position of utility.

**Employee Hire List**

An updated employee hire list is attached to Mrs. Keyser's report.

**Sale of Truck W-6**

The Board Directors approved the sale of Truck W-6. An ad was placed in the Bucks County Courier Times and we received one (1) sealed bid that was opened on March 13<sup>th</sup> in the amount of \$110.00. This vehicle was sold to James Goodwin c/o House of Cars

**Bristol Township Sewer Agreement  
(Delinquent Charge/Late Fee)**

Attached is a copy of a letter from James A. Downey, III, Solicitor, to Russell Sacco, Solicitor for Bristol Township, advising him of the action taken by LBCJMA's Board Directors in approving their request concerning the billing time frame for payments made to this Authority extending from thirty (30) days to forty-five (45) days.

**Water Plant - Storm**

On March 8, 2008, we experienced a heavy rain storm with high winds. As a result of the storm five (5) Verizon utility poles located along the driveway of the Water Plant came down blocking access into the plant creating a hazardous condition. Vince Capaldi, Mickey Perrone, and several Water Plant employees did a tremendous job in ensuring that through this ordeal we were able to continue non-interrupted water service to all of our customers.

Mrs. Keyser advised the Board Directors that Vince Capaldi sent letters thanking Verizon, Chief Patrick Priore, Police Chief in Tullytown as well as Sergeant Doyle and David Pearl, Chief, Tullytown Fire Company, for their quick response to a hazardous situation.

Mr. Chase commented on the fact that Mickey Perrone who was called in immediately put a call in to 911 requesting assistance from the Fire Company. 911 never dispatched the call. Mickey then contacted Scott Gilmore, an Authority employee and Deputy Chief with Tullytown Fire Company who then dispatched the Fire Company. They came out immediately and did a fantastic job, however, the fact still remains that this call was not handled correctly by 911 dispatch.

**Financial Assistant's Report**

Ms. Koszarek stated that in this month's Board packet was the copy of the Vehicle Condition Report as requested previously by the Board. In addition Mr. Armstrong had requested copies of the Authority's Bank account balances, with Ms. Koszarek reporting to date the Authority's account balances are depleted by approximately \$429,000 just since January 1, 2008. This does not include the accounts payable that were approved tonight for \$400,000. The Board Directors need to keep this in mind as you review the Budgets.

Mr. Armstrong stated that he is going to ask for a work session in order to work on the Budgets exclusively.

**Director of Operation's Report**

Dr. Rajput reported on the following items:

**Contract WWTP-275: Furnish and Supply Sodium Hypochlorite and Sodium Hydroxide for Lower Bucks County Joint Municipal Authority**

Bids were received on March 13, 2008 for the above contract. After reviewing all documents, it is recommended to award Contract No. WWTP-275: Furnish and Supply Sodium Hypochlorite and Sodium Hydroxide for LBCJMA as follows:

**Item No. 1** of Contract No. WWTP-275: Furnish and Supply Sodium Hypochlorite award to Buckmans, Inc., 105 Airport Road, Pottstown, Pa. 19454, At their bid unit price of \$1.33/gallon delivered.

- Existing contract unit price is \$1.33/gallon.

**Motion**

Mr. Verduci made a motion, seconded by Mr. Monahan, to award Contract No. WWTP-275: Furnish and Supply Sodium Hypochlorite to Buckmans, Inc., at their bid unit price of \$1.33/gallon delivered. Motion carried unanimously.

**Item No. 2** of Contract No. WWTP-275: Furnish and Supply Sodium Hydroxide to Basic Chemical Solutions, at their bid unit price of \$1.652/gallon delivered.

- Existing contract price: \$1.226/gallon.

**Motion**

Mr. Chase made a motion, seconded by Mr. Verduci, to award Contract No. WWTP-275: Furnish and Supply Sodium Hydroxide to Basic Chemical Solutions at their bid unit price of \$1.652/gallon delivered. Motion carried unanimously.

**Contract WTP-276: Furnish and Supply Ferric Chloride Water Treatment Plant**

Bids were received on March 13, 2008 for the above contract. After reviewing all documents it is recommended to award Contract WTP-276: Furnish and Supply Ferric Chloride to the Water Treatment Plant to Carmeuse Lime, Inc., 11 Stanwix Street, Pittsburgh, Pa. 15222, at their bid unit price of \$0.07326/lb.

- Existing contract price: \$0.0975/lb.

**Motion**

Mr. Chase made a motion, seconded by Mr. Monahan, to award Contract WTP-276: Furnish and supply Ferric Chloride to the Water Treatment Plant to Carmeuse Lime, Inc., 11 Stanwix Street, Pittsburgh, Pa. 15222 in their bid unit price of \$0.07326/lb.

Motion carried unanimously.

**Contract WWTP-278: Furnish and Supply Crushed Stone Aggregate to Lower Bucks County Joint Municipal Authority (Bucks County Consortium)**

The Authority participated with the Bucks County Consortium stone bid. Bids were opened on February 22, 2008 by the Bucks County Consortium. After reviewing all documents it is recommended to award Contract WWTP-278: Furnish and Supply Crushed Stone Aggregate, Asphalt Paving Materials and Associated Highway Products to Eureka Stone Quarry, Inc. The contract period is from April 1, 2008 to March 31, 2009 with their bid unit price per ton delivered for 2B  $\frac{3}{4}$  modified Stone being \$12.50 and bid unit price per ton delivered for 2a stone mix of \$11.00.

**Motion**

Mr. Monahan made a motion, seconded by Mr. Chase, to award Contract WWTP-278: Furnish and Supply Crushed Stone Aggregate, Asphalt Paving Materials and Associated Highway Products to Eureka Stone Quarry, Inc. The contract period is from April 1, 2008 to March 31, 2009 with their bid unit price per ton delivered for 2B  $\frac{3}{4}$  modified stone being \$12.50 and bid unit price per ton delivered for 2a stone mix is \$11.00.

Motion carried unanimously.

**Contract WWTP-279: Furnish and Install Cured In Place Sanitary Sewer Pipe Lining (Phase II) – Wastewater Collection System**

Phase I of the above contract is almost complete. During Phase I approximately 8,366 linear feet of sewer pipe (8"-15" pipe size) was lined. We have already realized the benefit of this lining in terms of the Inflow/Infiltration peak flow reduction during rain storms.

Phase II of this project should begin shortly. In this phase approximately 9,600 linear feet of sewer pipe (8"-24 pipe size). Under this phase the bulk of the work will involve lining of the sewer interceptor located along/within the waterways.

The remainder of Dr. Rajput's report is for Board Director's information.

### **Supervisors Reports**

- |                                 |                             |
|---------------------------------|-----------------------------|
| • Vince Capaldi, Superintendent | Water Treatment Plant       |
| • Gary Tosti, Plant Manager     | Wastewater Treatment Plant  |
| • Phil Smythe                   | Field Technician            |
| • Nancy Burnell                 | Meter Department Supervisor |

### **Meter Reading Department**

With the additional work that they now have, Nancy Burnell, Meter Department Supervisor asked the Board to consider hiring an additional Meter Mechanic. Mr. Armstrong stated that the Board would address this at the April Board meeting.

### **Old Business**

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

### **Executive Session**

Mr. Armstrong called the Board Directors back into an executive session at 8:37 P.M. The regular Board meeting reconvened at 8:59 P.M. with Mr. Downey stating during the executive session personnel matters were discussed.

Mr. Armstrong again asked for a motion regarding employee 1062 for falsification of records.

### **Motion**

Mr. Verduci made a motion, seconded by Mr. Czyzyk, to terminate employee 1062 for reasons given.  
Motion carried unanimously.

### **Pennsylvania Labor Relations Board**

Mr. Armstrong stated that the Board never through a motion of the Board, made it clear that we're going to end up at the Pennsylvania Labor Relations Board regarding the job left vacant by Donna Farris. Mr. Armstrong further stated that basically Mr. Downey is headed to court and the Board never authorized it.

**Motion**

Mr. Chase made a motion, seconded by Mr. Verduci, to ratify the actions that started on September 19, 2007, for Mr. Downey to follow through with the Pennsylvania Labor Relations Board regarding the elimination of the position of Assistant to the Director.

A roll call on the motion was started with Mr. Armstrong abstaining because he was not a Board member at the time. Mr. Downey indicated that Mr. Armstrong would be able to vote to ratify that which was then. Mr. Armstrong replied that he is not that familiar with all the circumstances that are involved, and that this just came to his attention today.

Mr. Downey stated that the Board does not have a choice anymore not unless you hire another Auditor. Mr. Czyzyk replied that he does not understand what is going on. Mr. Chase replied that to authorize, again, Mr. Downey to represent the Authority and follow through with the actions that were started back when the Board made the decision to make this position non-union and to have it taken out of the union that Mr. Downey would need to go before the Pennsylvania Labor Relations Board. Mr. Czyzyk asked what would happen if the Board does not pass this. Mr. Downey replied that it would then put the position in limbo. You would then need another accountant to review what you do here and they would report to Lopez, Teodosio and Larkin. This is not like the old rules where the auditor came in, did the audit and gave advice. They can't do that anymore. You will double your audit bill.

Mr. Downey responded that the motion was made at the Board Director's meeting to eliminate the position known as the Assistant to the Director and to create the new position called Financial Assistant to the Director. It is noted in the minutes that this is a non-union management position, and thus we would have to go to the Labor Relations Board.

Mr. Czyzyk asked what the Labor Relations Board was going to tell us. Mr. Downey replied that when we go before the Pennsylvania Labor Relations Board we would have to demonstrate through our Auditor, Mr. Polanski, that this is not a clerical position. It is a position that involves confidentiality, a certain level of education and experience that takes it out of the level of a first line Supervisor, as it has evolved now due to the new audit rules. That is what I will establish on Friday. Mr. Chase stated that since Board action was already taken to create this non-union position, wouldn't you automatically follow through with anything that would need to be done.

Mr. Verduci asked if we found someone to fit the position, why wouldn't you want them in the union. Mr. Downey replied that under the Public Employee Relations Act, people who can be in the union are what is known as first line Supervisors. People who serve in a position of confidence, and people who have access to records that require confidentiality and have a certain level of education it then puts them above first line Supervision.



Mr. Czyzyk asked if we are able to even do this even though Donna is still on the payroll. Mr. Downey replied that Donna would not be qualified to do the job if she came back tomorrow.

After further discussion Mr. Chase withdrew his motion with the Board's agreement again, that this matter will go before the Pennsylvania Labor Board on March 21, 2008.

**Public Participation**

There was no public participation brought before the Board at this time.

**Adjournment of Board Meeting**

Mr. Czyzyk made a motion, seconded by Mr. Chase, to adjourn the Board meeting at 9:10 P.M.  
Motion carried unanimously.

Respectfully Submitted by:

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Edward Czyzyk, Secretary