

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
October 15, 2008**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Wednesday, October 15, 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 7:01 P.M., which was followed by the Pledge of Allegiance and a moment of silence.

Roll Call

Mrs. DeRosier, Assistant Secretary, took roll call as follows:

Board Member's Present: Edmund Armstrong
John Monahan
Susan DeRosier
James Chase
Anthony Verduci
(Attending viewing. Arrived at 7:18 PM)

Board Members Absent: Edward Czyzyk
(Family business as reported by E. Armstrong)

Also Present: Janet A. Keyser, Managing Director
Pat Koszarek, Finance Director
Vijay Rajput, Director of Operations
Gary Tosti, WWTP Plant Manager
Vince Capaldi, Superintendent, WTP
Mickey Perrone, Asst. Superintendent, WTP
Phil Smythe, Field Technician
Nancy Burnell, Supervisor, Meter Department
James A. Downey III, Esquire
Robert Serpenti, Consulting Engineer

Public Participation

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

Approval of Payment of the October 2008 Accounts Payable

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the payment of the October 2008 Accounts Payable as presented.
Motion carried (4 votes).

Approval of the June 11, 2008 Minutes with corrections as presented to the Board of Directors

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the Board meeting minutes for June 11, 2008 with corrections as presented to the Board of Directors.

Questions/Comments

Mrs. DeRosier questioned whether the vote would pass again and asked if there were enough members present to pass it. You need four votes. Mr. Armstrong did not attend the June meeting. Mr. Downey was asked whether Mr. Armstrong would be able to vote. Mr. Downey responded that he is permitted to vote. Mr. Armstrong stated that he was not present at the meeting and does not feel that it would be proper to vote. Mrs. DeRosier suggested to table the vote until Mr. Verduci arrives.

Motion to table the approval of the June 11, 2008 Minutes with Corrections as Presented to the Board of Directors

Mrs. DeRosier made a motion, seconded by Mr. Chase, to table the approval of the June 11, 2008 Minutes with corrections as presented to the Board of Directors.
Motion carried unanimously.

Approval - Board Meeting Minutes - September 17, 2008 as Presented to the Board of Directors.

Mr. Chase made a motion, seconded by Mrs. DeRosier, to approve the September 17, 2008 Board Meeting Minutes as presented.
Motion carried unanimously.

Pretreatment Variances

Mrs. Wallover reported on the following Pretreatment Variances.

Las Vegas Pizza/Brothers Pizza - 1154 Oxford Valley Road. Temporary Permit No. F093-2007 (12/2007 - 06/2008). Barry Ballow, Solicitor, Present.

This facility is requesting a variance from the installation of the required 1,000 gallon baffled grease trap. Mr. Ballow asked that this facility be permitted to use the existing internal grease trap. At the Board meeting held on February 20, 2008, the facility was to submit sample analysis for 2 quarters and appear back before the Board.

Mr. Ballow, Las Vegas' Solicitor stated that at the February 20, 2008 meeting a motion was made and carried unanimously by the Board Directors permitting Las Vegas Pizza to continue the use of the existing 70 lb. internal grease trap as well as obtaining two (2) quarterly samplings for both parameters. After completion of the testing they were to appear again before the Board Directors with the results. Mr. Ballow advised the Board Directors that instead of the required two (2) tests, they have performed four (4) tests that were taken on 01/16/08, 04/16/08, 07/09/08 and 09/24/08 with all test results proving satisfactory. Mr. Ballow is now asking that a variance be granted excusing them from installing a 1,000 gallon exterior grease trap.

Questions/Comments

Mrs. Wallover, Pretreatment Coordinator, stated that her biggest concern is the fact that the 04/16/08 sample just managed to pass for oil & grease.

Motion

Mr. Chase made a motion, seconded by Monahan, to permit Las Vegas Pizza/Brother's Pizza – 1154 Oxford Valley Road, Levittown, PA. a variance to continue using the 70 lb. interior grease trap with the required quarterly testing being performed
Motion carried unanimously.

Wal-Mart – Levittown Shopping Center - Scott Webb, Plumbing Engineer and Peter Chandler, Civil Engineer for the Wal-Mart Super Center, Tullytown, PA. 9 (Both present).

This facility is requesting approval for a floor drain to handle the discharge for their Reverse Osmosis System.

Mr. Webb stated that he was before the Board Directors in January 2008 to explain a number of the items that are going to be operational in the supermarket part of the project. This was one item that was pulled off at that time because the Board requested additional information on the reverse osmosis system. An informational package is attached for the Board Director's review. The request is for a single floor drain with a 4 inch line that receives the backwash from the reverse osmosis water system. The purpose of the system is to provide ultra-purified water for the produce misters, bakery oven, and to sell to the public in self-filled containers.

Mr. Armstrong asked if the drain could be elevated in such a manner that the Authority could be assured that no wash water or anything else would go down the drain. Mr. Webb responded that it could be done. Mrs. Wallover stated that the Department of Health will require them to have indirect drains. Mr. Webb responded that he did not have anything with him from the Board of Health.

Mrs. DeRosier stated that this also seems like a Board of Health issue and asked Mr. Webb if he had any type of documentation from the Board of Health regarding this. Dr. Rajput responded that he recommend that they obtain a permit and submit the manifest for the distribution of the carbon and pre-filters and that Wal-Mart show that they are disposing in the proper locations. Also, they will need to submit the permit from the Health Department.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the variance for the floor drains, with the drains being elevated and other recommendations made by Dr. Rajput, Director of Operations. Motion carried unanimously.

Ratification and Approval of the June 11, 2008 Minutes with Corrections as Presented to the Board of Directors.

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the June 11, 2008 Minutes with corrections as presented to the Board of Directors.

Roll Call on the Motion

Mr. Armstrong	Abstain (not present at the June 11 th meeting)
Mr. Verduci	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye

Motion passed. 4 Aye Votes – 1 Abstention

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

Mr. Downey stated that first and foremost as many of you are aware effective January 1, 2009 the Commonwealth's new Open Record Law goes into effect. There are several different definitions. The most significant change is that if a person now requests records it is now up to the government unit to show whether it is or is not a public record. Prior to this change it was up to the requestor to prove that it was a public record.

For every government unit there must be an open records officer. This officer will receive all requests verbal, written, electronic or otherwise. The open records officer must have their address and other contact information to the Department of Community and Economic Development, Harrisburg, prior to January 1, 2009. That department will list each and every open records officer, every government unit in the Commonwealth.

If the Board chooses not to do it this evening, Mr. Downey is recommending that they pick an open records officer by the November 19th Board meeting. The open records officer has a duty to respond within 5 days of the initial request.

Questions/Comments

Mr. Chase asked if the open records officer has to be a Board member, can it be any of the employees. Mr. Downey responded that he would recommend someone in the Administration office to whom record requests are going to be made in this office. It should be someone that works at the Administration office fulltime. Mr. Downey has supplied Mrs. Keyser with a copy of the letter outlining the new law indicating that there are thirty (30) specific exceptions listed in the new law.

Motion

Mr. Monahan made a motion, seconded by Mr. Chase, to appoint Janet Keyser, Managing Director, to the position of Open Records Officer. Motion carried unanimously.

Executive Session

At 7:37 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 10:21 P.M. by Mr. Verduci, Vice Chairman. Mr. Downey stated that during the executive session contract negotiations were discussed. Also, on Tuesday, November 18, 2008, there is an unfair labor practice hearing in Doylestown regarding one of the Authority's employees.

*Let it be noted that during the Executive Session, Mr. Armstrong excused himself and left the meeting.

Managing Director's Report

Mrs. Keyser stated that her report was discussed during the executive session and that she did not have any further issues to publicly present to the Board Directors at this time.

Finance Director

Ms. Koszarek stated that her report is for informational purposes and could be read at the Board's leisure.

Motion

Mr. Monahan made a motion, seconded by Mr. Chase, to accept the Finance Director's monthly report as presented to the Board Directors. Motion carried unanimously.

Director of Operation's Report

Dr. Rajput reported on the following items:

Contract No. WTP-271: Replacement of Well No. 5

The contractor has completed the drilling work and is currently working on the final well development work. In order to properly develop the well, an additional day of development work was required to ensure the appropriate removal of sand deposit. The additional cost (change order) is \$2,940, however, this will not result in any increase to the present contract total as this will be compensated by the reduction in the well drilling cost with a savings of approximately \$2,100. Also the reduction in the casing length savings is approximately \$1,000. As per Dr. Mercuri's estimate, it appears that the replacement well when fully developed is expected to produce between 300 GPM - 432,000 GPD and 500 GPM - 720,000 GPD based on the current preliminary data.

Motion

Mrs. DeRosier made a motion, seconded by Mr. Chase, to approve the payment of the change order for Contract WTP-271: Replacement of Well No. 5 as presented by Dr. Rajput, Director of Operations.
Motion carried unanimously.

The remainder of Dr. Rajput's report is for informational purposes for the Board.

Supervisors Reports

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

Old Business

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

New Business

PMRS Pension

Mrs. Koszarek stated that the Authority's MMO's (Minimum Municipal Obligation), which is the pension plan for the plants, clerical department and the supervisors, was sent to the Board in their packets. Mrs. Koszarek asked for a motion from the Board to approve the 2009 MMO's as presented.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the 2009 MMO's as submitted by Mrs. Koszarek, Finance Director. Motion carried unanimously.

LD Davis Building

Mrs. Koszarek advised the Board Directors that to date the Authority has spent \$42,384. on renovations to the LD Davis Building. This does not include the employee salaries as this work is being done in-house.

Dr. Rajput added that one more door will need to be installed at a cost of approximately \$9,000.

Letter of Appreciation

Mrs. DeRosier noted that in the Board's packet was a very nice letter regarding Mr. Smythe from a customer of the Authority. Since the hour is late and most everyone has gone home, Mrs. DeRosier would like to bring this up at the November Board meeting so that he is publicly acknowledged.

Public Participation

There was no public participation.

Adjournment of Board Meeting

Mr. Chase made a motion, seconded by Mrs. DeRosier, to adjourn the Board meeting at 10:29 P.M. Motion carried unanimously.

Respectfully Submitted by:

Edward Czyzyk, Secretary

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