

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
September 17, 2008**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Wednesday, September 17, 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.

Roll Call

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

Board Member's Present: Edmund Armstrong
Edward Czyzyk
John Monahan
Susan DeRosier
James Chase

Board Members Absent: Anthony Verduci

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
James A. Downey III, Esquire
Robert Serpenti, Consulting Engineer

Approval of Payment of the September 2008 Accounts Payable

Motion

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

Ratification and Approval of the July 2008 Accounts Payable as presented to the Board of Directors.

Motion

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

Ratification and Approval of the August 2008 Accounts Payable as presented to the Board of Directors.

Motion

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

Approval - Board Meeting Minutes – June 11, 2008

Correction to the Minutes

Mr. Chase stated that in the minutes it shows that Mr. Czyzyk took roll call. Mr. Czyzyk was absent. The minutes have been corrected and now state that Mrs. DeRosier took roll call.

Motion

Mr. Monahan made a motion, seconded by Mr. Chase, to approve the Board meeting minutes for June 11, 2008 with the above correction.

Roll Call on the Motion

Mr. Armstrong	Abstain (absent from the June 11 th Board meeting)
Mr. Chase	Aye
Mrs. DeRosier	Aye
Mr. Monahan	Aye
Mr. Czyzyk	Abstain (absent from the June 11 th Board meeting)
Motion failed – 3 Aye Votes – 2 Abstentions	

Motion to approve the June 11, 2008 minutes will be presented again at the October 15, 2008 Board meeting.

Presentation of the 2007 Audit – Peter Place, CPA, Lopez, Teodosio & Larkin

Peter Place, Auditor for the Authority, gave the presentation of the 2007 Financial Audit. The 2007 Financial Audit has been attached and made part of the minutes.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to accept the 2007 Audit as presented by Peter Place, CPA, Lopez, Teodosio & Larkin. Motion carried unanimously.

Pretreatment Variances

Mrs. Wallover reported on the following Pretreatment Variances.

Magic Touch Car Wash of Fallsington – 1001 Trenton Road, Permit No. 009-2007 04/01/2007 – 03/31/2008. Neil Patel (Owner Present.)

At the May 21, 2008 Board meeting, this facility was required to perform the sample analysis in accordance with the yearly renewal wastewater discharge permit, as developed by Dr. Vijay Rajput and Mrs. Wallover and attend the December, 2008 Board meeting with the results. This facility is appealing the renewal permit sampling criteria.

Mr. Patel stated that he and Mr. Grzesnikowski who owns the Magic Touch Carwash located at 16 Cinder Lane met with Mrs. Wallover and Dr. Rajput regarding the new permit requirements. Mr. Patel informed the Board that they obtained a new quotation from the testing lab and found there would be no significant reduction in the testing costs. Mr. Grzesnikowski stated that he has talked to carwash owners all over the county and they do not have any testing requirements. Mr. Armstrong replied that much of that depends on where the waste ends up going. If it is going to the Philadelphia interceptor, then it is being greatly diluted with residential waste then you would be barely picking up the fact that there are any types of contaminants. In the Authority's case everything here is going into our local treatment plant, therefore, it is not being diluted sufficiently. Mr. Chase responded that the Authority's first priority is to protect the plants.

Mrs. Wallover stated that both permits expired on March 31, 2008. As directed by the Board the facilities were given a draft of the revised permit requirements. Mr. Patel and Mr. Grzesnikowski have yet to sign the revised permits, which means that there has been no monitoring since March 31, 2008.

After further discussion the following motion was made.

Motion

Mr. Monahan made a motion, seconded by Mr. Chase, to table any action until the November 19th Board meeting for both the Magic Touch Car Wash of Fallsington, 1001 Trenton Road and the Magic Touch Car Wash, 16 Cinder Lane.

Motion carried unanimously.

Magic Touch Car Wash – 16 Cinder Lane, Permit No. 010-2007 04/01/2007 0 03/31/2008. Pete Grzesnikowski (Owner Present.)

At the May 21, 2008 Board meeting, this facility was required to perform the sample analysis in accordance with the yearly renewal wastewater discharge permit as developed by Dr. Rajput and Mrs. Wallover and to attend December, 2008 Board meeting. This facility is appealing the renewal permit.
(See above motion regarding this facility.)

Philly Soft Pretzel Factory – 920 S. Woodbourne Road, Permit No. F145-2003 Temporary Permit 12/2003 – 05/24/2004. Anthony Rossi (Owner Present.)

Mr. Rossi's plumbing contractor submitted a recommendation for the use of a Mifab MI-G-4, 40 lbs/20 gallon internal grease trap for this facility per the request of the Board Directors at their June 11th Board meeting. Right now this facility does not have any type of grease trap installed, therefore, to date no testing has been done.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the installation of the 40 lb. interior grease trap with quarterly testing for Philly Soft Pretzel Factory located at 920 S. Woodbourne Road.
Motion carried unanimously.

Charlie's One-Stop Deli – 1601 Edgely Avenue. Vanya Tyrell (Owner present.)

This facility recently changed ownership and Mr. Gioffre, the new owner of this business is requesting that a variance be granted for an internal 50 lb. grease trap, the same as the previous owner. The previous owner was granted a variance for an internal grease trap with quarterly sampling for TSS and Oil & Grease. Mrs. Wallover stated that there has been no change other than the name and new ownership.

Motion

Mr. Monahan made a motion, seconded by Mrs. DeRosier, to allow Charlie's One-Stop Deli, located at 1601 Edgely Avenue, to continue the use of the internal 50 lb. interior grease trap with quarterly sampling for TSS and Oil & Grease.
Motion carried unanimously.

Philly Soft Pretzel Factory – 4216 Woodbourne Road, Permit No. F163-2008 Temporary Permit 07/08/2008 – 12/23/2008. Rosemary Shin (Owner Present.)

This facility was recently bought out and the new owner is requesting the same variance for the internal 30 lb. grease trap with quarterly sampling for TSS and Oil & Grease as the previous owner had.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to allow the new owners to continue utilizing the 30 lb. interior grease trap with quarterly sampling for TSS and Oil & Grease.
Motion carried unanimously.

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

Mr. Downey informed the Board that the Finance Director presented a request to submit to the Board a resolution to join the Central West Moreland Government Consortium. The membership would be from September 30, 2008 to September 30, 2009 at \$150.00 annual membership (dues). The inter-governmental consortium would permit inter-governmental joint purchasing which is permitted under the purchasing laws of the Commonwealth.

Motion

Mr. Chase made a motion, seconded by Mr. Czyzyk, to approve the resolution to join the Central West Moreland Government Consortium membership from September 30, 2008 to September 30, 2009 at \$150.00 annual membership dues.
Motion carried unanimously.

Executive Session

At 7:45 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 8:22 P.M. with Mr. Downey stating during the executive session ongoing litigation, contract negotiations and personnel matters were discussed.

At this time Mr. Armstrong suspended the Agenda in order to hear from Mrs. Ruth Eldridge, customer of the Authority, regarding a shed, manhole and sewer easement located on her property at 37 Falcon Road.

Mrs. Eldridge addressed the Board regarding a shed, manhole and sewer easement on her property. Mrs. Eldridge stated that when she and her husband purchased the property in 1993 there was an existing shed. Mrs. Eldridge further stated that the previous owner had obtained a waiver from the Authority giving him permission to construct the shed. On June 25th Mr. & Mrs. Eldridge received a letter from Phil Smythe, Field Technician, advising them to “remove” the shed from a top the manhole and adhere to the attached manhole requirements. After the shed was removed, Mrs. Eldridge received a call from Mr. Smythe informing her that the shed could be moved or possibly save some of the walls. When the carpenter took the shed down it was discovered the manhole was actually 3 ft. away from shed. Mrs. Eldridge is asking the Board for some type of reimbursement for the expense of removing and re-constructing the shed.

Mr. Armstrong requested an executive session in order to discuss this matter. The Board returned from executive session at 8:45 PM.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, authorizing Mr. Downey to contact Mrs. Eldridge and come to a resolution regarding this matter.

Motion carried unanimously.

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's Report

Current LBCJMA Account Balances

- \$2,549,455.10 (Revenues)
- \$ 802,322.04 (Pennvest Loan)

The remainder of Mrs. Koszarek's report was sent to the Board earlier in the month for their review. The Board Directors did not have any additional questions for Ms. Koszarek.

Director of Operation's Report

Dr. Rajput reported on the following items:

Contract No. WTP-284: Furnish and Supply Fire Hydrants, Valves and Ductile Iron Pipe for a Period of one (1) Year.

Two (2) bid proposals were received on September 11, 2008 for the above contract. Based on review of the bid proposals, bid items, technical specifications, and products for equality as well as review with James A. Downey, III, Solicitor, it is recommended to award the contract as follows:

Items 1 through 9, items 12 through 16, items 19 through 21, items 23, 25, 51 and 53 of the contract award to the lowest bidder – Kennedy Culvert, located at 181 Horsham Road, Horsham PA.

Motion

Mr. Chase made a motion, seconded by Mr. Czyzyk, to award Items 1 through 9, items 12 through 16, items 19 through 21, items 23, 25, 51 and 53 of the contract, award to the lowest bidder – Kennedy Culvert, located at 181 Horsham Road, Horsham PA.

Motion carried unanimously.

Items 10 through 11, items 17 through 18, items 22, 24, items 26 through 50, and item 52 of the above contract to the lowest bidder Hajoca Corporation located at 1209 E. Welsh Road, Lansdale, PA.

Motion

Mr. Chase made a motion, seconded by Mr. Czyzyk, to award Items 10 through 11, items 17 through 18, items 22, 24, items 26 through 50, and item 52 of the above contract to the lowest bidder Hajoca Corporation located at 1209 E. Welsh Road, Lansdale, PA.

Motion carried unanimously.

At this time it is not recommended awarding items 55 through 84 to any bidders due to the inequality of the products proposed by the bidders. The unit bid prices could not be compared due to different qualities.

Contract No. WWTP-285: Furnish and Deliver Polymers for the Water and Wastewater Treatment Plants

Three (3) bids were received on September 11, 2008 for the above contract. Based on review of the bid proposals received, Polydyne, Inc., submitted the bid proposals with the lowest unit price for all four (4) polymer bid items. The bid prices received for all four (4) polymers are lower than the current prices. There could be a savings of \$0.08 to \$0.37 per pound compared with the current price per pound if the products of the lowest bidder are determined to be as effective as that of the other two (2) bidders. Per the requirements of the contract all contractors/bidders are required to conduct plant scale testing to demonstrate the application of the proposed products in terms of performance and the cost effectiveness. Once the testing has been conducted and all results submitted Dr. Rajput will present his recommendations for the award this contract to the Board Directors.

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

Supervisors Reports

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

Mrs. Burnell, Meter Department Supervisor, asked the Board for a motion to implement a fee of \$25.00 to disconnect and/or reconnect water services to Authority customers. Mrs. Burnell stated that with the cost of everything going up it would be in the best interest of the Authority to begin charging for this service, since it is now costing the Authority money and time.

Motion

Mr. Czyzyk made a motion, seconded by Mr. Chase, to implement a fee of \$25.00 to Authority customers when requesting water to be connected and/or disconnected.

Motion carried unanimously.

The remainder of the supervisor's reports is for informational purposes for the Board.

Old Business

Mr. Downey reported that several years ago both he and Dr. Rajput prepared an easement of the Authority's water lines for the Levittown Shopping Center. A few months ago lawyers for the shopping center contacted Mr. Downey requesting this information. Mr. Downey and Dr. Rajput again reviewed all the information before filing the information with the Recorder of Deeds Office. A letter was sent informing the lawyers that all the necessary documentation has been filed.

New Business

Managing Director –Salary Increase

Motion

Mr. Monahan made a motion, seconded by Mr. Czyzyk, that Mrs. Keyser, Managing Director, be given an annual salary increase as stipulated in her contract.

Motion carried unanimously.

Water Plant Tour

This summer Mrs. DeRosier stated that she was given a tour of the Water Plant by Vince Capaldi, Superintendent. Mrs. DeRosier was very impressed with how well maintained everything was. Mr. Chase agreed saying that he was at the plant recently and he feels that everything is in great shape and that everyone is doing a good job.

Collecting Outstanding Balances

Mrs. Koszarek informed the Board that there are concerns regarding how the Authority's customers are not paying their bills. Mrs. Koszarek feels the longer you go the harder it is for the residents to pay their bills. Mrs. Koszarek has been working with Nancy Burnell on revising the issue and customer payment of bills. Right now the customer is issued their bill and no other notification is sent out. Mrs. Burnell informed her that previously the Authority would send out delinquent notices. We are in the process of initiating that again so that our customers will get that second notice before their next bill goes out to give them a chance to pay it before receiving a shut off notice.

Public Participation

George Fox of 25 Little Lane addressed the Board. Mr. Fox stated that he is a Councilman in Tullytown Borough. He is here tonight to say he is very proud to see the Authority personnel always well groomed and wearing their designated uniforms, he feels that the employees appreciate them and are proud to wear them. Mr. Fox also praised the up-keep of the Authority's equipment, which he feels is in top notch condition. However, Mr. Fox stated that he has a negative to his positive. He is very disappointed with the presentation and appearance of the property on Route 13 (WWTP). Mr. Fox also feels that the sign for the Wastewater Treatment Plant is in a location that no resident would know it's the plant, its 50 ft. in the air. The operation that we run everyone should be very proud and have a sign right out front to let people know what it is. That building has looked like that for at least ten (10) years. Mr. Fox is asking this Board to please fix that building, make it presentable.

Mrs. DeRosier responded that during a recent tour she took along with Mrs. Keyser and Mrs. Koszarek that improvements for the main building, as well as improvements for the inside of the plant were discussed.

Dr. Rajput added that money has been allocated and there are plans to put up siding on the outside as money becomes available.

Mrs. Keyser responded to Mr. Fox that Water and Sewer Authorities were notified after 9-11 took place to not have identification signs; water and/or sewer, at their utility locations, and if there were signs, to remove them and replace them with other signs that do not identify what the utility is. Mrs. Keyser also advised Mr. Fox that renovations to its facilities are taking place as finances allow.

Adjournment of Board Meeting

Mr. Czyzyk made a motion, seconded by Mr. Chase, to adjourn the Board meeting at 9:12 P.M.
Motion carried unanimously.

Respectfully Submitted by:

Edward Czyzyk, Secretary