

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
JANUARY 28, 2010**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Thursday, January 28, 2010 at the Authority's Administration office located at 7811 New Falls Road, Levittown, Pennsylvania, 19055.

Call to Order

Mr. Verduci, 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

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

Board Members Present: Edmund Armstrong
Susan DeRosier
James Chase
Anthony Verduci
Edward Czyzyk
John Monahan

Also Present: Vijay Rajput, Managing Director/Director of Operations
Pat Koszarek, Finance Director
Gary Tosti, Plant Manager
Phil Smythe, Field Technician
Mickey Perrone, Asst. Superintendent, WTP
Nancy Burnell, Supervisor, Meter Department
James A. Downey III, Esquire

Annual Reorganization of the Board of Directors

Chairman

Motion

Mr. Monahan made a motion, seconded by Mrs. DeRosier, nominating Mr. James Chase to serve as Chairman of the Board.

Roll Call on the Motion

Mr. Czyzyk	Aye
Mr. Verduci	Aye
Mr. Armstrong	Nay
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye

Motion carried: 5 Aye Votes – 1 Nay Vote

Vice Chairman
Motion

Mr. Armstrong made a motion, seconded by Mrs. DeRosier, nominating Mr. John Monahan as Vice Chairman of the Board.
Motion carried unanimously.

Secretary
Motion

Mr. Czyzyk made a motion, seconded by Mr. Monahan, nominating Mrs. Susan DeRosier as Secretary of the Board.
Motion carried unanimously.

Treasurer
Motion

Mr. Czyzyk made a motion, seconded by Mr. Monahan, nominating Mr. Edmund Armstrong as Treasurer of the Board.
Motion carried unanimously.

Assistant Treasurer
Motion

Mr. Monahan made a motion, seconded by Mr. Armstrong, nominating Mr. Edward Czyzyk as Assistant Treasurer of the Board.
Motion carried unanimously.

Assistant Secretary
Motion

Mrs. DeRosier made a motion, seconded by Mr. Czyzyk, nominating Mr. Anthony Verduci as Assistant Secretary of the Board.
Motion carried unanimously.

Public Participation

There was no public participation who wished to address the Board at this time.

Approval - Payment of January 2010 Accounts Payable as Presented
Motion

Mr. Monahan made a motion, seconded by Mrs. DeRosier, to approve the payment of the January 2010 accounts payable as presented to the Board of Directors.
Motion carried unanimously.

Approval of the December 16, 2009 Minutes as Presented
Motion

Mr. Czyzyk made a motion, seconded by Mr. Monahan, to approve the Board Meeting minutes for December 16, 2009 as presented to the Board of Directors.
Motion carried unanimously.

Questions/Comments

Mr. Verduci stated that at the December 16th Board meeting he asked Dr. Rajput what the cost would be to make one (1) gallon of water. Dr. Rajput replied that last month the average flow was 8 MGD and the total cost of chemicals was \$45,310. Mr. Chase and Ms. Koszarek replied that there would also be the cost of payroll, electric, etc. Dr. Rajput agreed and added that the major costs would be the chemicals. Mr. Chase asked that since the Authority is considering entering into an agreement with Bucks County Water & Sewer Authority, he would like Dr. Rajput to report back to the Board the calculation of exactly what the cost would be per 1,000 gallons. Dr. Rajput replied that he will have the requested information available to the Board at their February 2010 Board meeting.

Pretreatment Variances

Magic Touch Car Wash - 1001 Trenton Road, Fairless Hills - Permit F009-2008
11/11/2008- 11/10/2009

Mr. Pete Grzesnikowski, owner of the Magic Touch Car Wash located on Cinder Road, Levittown, and Mr. Neil Patel, owner of the Magic Touch Car Wash on Trenton Road, both requested a renewal of their pretreatment permits with their annual sampling requirements being decreased.

Mr. Grzesnikowski, speaking for both himself and Mr. Patel, stated that due to the bad economy and the bad weather, they are both asking the Board to reduce the testing/sampling requirements. Mr. Grzesnikowski added that he doesn't understand why the other two (2) carwashes in the area are not required to perform the same testing/sampling that they are. Dr. Rajput replied that possibly both Mr. Grzesnikowski and Mr. Patel can meet with Susan Wallover, Pretreatment Coordinator, and himself to review their permits and testing results and then based on the results possibly the permits could be revised. Dr. Rajput added that the Authority's first concern is the welfare of the Plant.

Mrs. DeRosier asked why the other two (2) carwashes did not have to perform the same testing as both of these businesses. Mrs. Wallover responded that she was instructed by the Board that the testing requirements would come into play when there was a change in ownership. The Board set the criteria.

Mr. Chase stated that perhaps the Board should do what needs to be done to change the current Pretreatment Resolution. Mrs. Wallover stated that three (3) of the four (4) municipalities are following the 1990 Pretreatment Ordinance. The Authority presents their local limits, which includes the Authority's latest, updated Resolution every five (5) years. Three (3) of the four (4) municipalities consistently ignore it. They do not enforce our Pretreatment requirements in their municipality areas.

Mr. Downey suggested that the Authority obtain the new parameters from the EPA. This will allow the Authority to set the new standards and in turn be able to protect its Water Treatment and Wastewater Treatment Plants more effectively. Mr. Downey further stated that unfortunately in some cases where the name may change or someone else buys a carwash, restaurant, etc, and they keep the same name, the Authority has no way to flag it. The majority of the municipalities that this Authority services will not for whatever reason cooperate with us. The Authority has no legal ability to compel them to cooperate. The DEP and the EPA have even acknowledged that we have no ability to go to court. Dr. Rajput informed the Board that the first draft has already been sent to the EPA.

After further discussion the following motions were made:

**Motion for Magic Touch Car Wash - 16 Cinder Lane, Levittown, PA.
Pete Grzesnikowski, Owner**

Mr. Armstrong made a motion, seconded by Mrs. DeRosier, to reduce the testing/sampling requirements from quarterly to twice a year for the Magic Touch Car Wash located at 16 Cinder Lane Levittown, PA. The first test will be performed in February and the second test will be performed six months later.
Motion carried unanimously.

Questions/Comments

Mrs. Wallover asked for clarification on the motion. Mr. Armstrong replied that his motion is strictly for quarterly testing to be reduced to twice a year and the semiannual parameters will remain the same.

**Motion for Magic Touch Car Wash - 1001 Trenton Road, Fairless Hills, PA - Neil Patel,
Owner**

Mr. Armstrong made a motion, seconded by Mr. Czyzyk, to reduce testing/sampling requirements from quarterly to twice a year for the Magic Touch Car Wash, located on 1001 Trenton Road, Fairless Hills, PA. The first test will be performed in February and the second test will be performed six months later.
Motion carried unanimously.

Managing Director's Report

Dr. Rajput reported on the following items:

Bulk Water Purchase by Bucks County Water and Sewer Authority Through the Existing Interconnection

Dr. Rajput reported that he met with Benjamin Jones, Chief Executive Officer, John Butler, Director of Operations and John Swenson, Consulting Engineer, all representatives of Bucks County Water and Sewer Authority (BCW&SA) on January 12, 2010 to discuss their plan and schedules to upgrade their pump station, duration of contract, water withdrawal rate and emergency interconnection, as well as the bulk water rate. BCW&SA is planning to take water on a continuous basis. They would also like the contract period to be between 20 to 25 years. They estimate that it will take approximately 18 months to complete the required upgrades to their Woodbourne pump station. BCW&SA stated that they would be willing to consider the same rate that we now charge to the other Authority's bulk customers.

On January 20, 2010 a second follow-up flow and pressure test was conducted using a fire hydrant located on the Authority's exiting 12" water supply main to the BCW&SA connection to confirm that the Authority's system has adequate capacity to supply the requested bulk water. An emergency backup procedure will need to be developed as the Authority may need to run both pumps at the station to satisfy demand. Alternatives need to be evaluated; the installations of a third pump or modifications to the existing impellor pump to increase the capacity of each pump.

Questions/Comments

Mr. Verduci asked Dr. Rajput if the rate would remain the same for the duration of the contract. Dr. Rajput replied that the Authority could incorporate in the contract that they will have to change based on the Authority's rate increase. Mr. Downey added that right now what we have is a percentage of 94% of what the base rate is and any time there is a percentage increase in the base rate, theirs would also increase. Mr. Downey also informed the Board that he had a brief meeting with the Solicitor of the BCW&SA and they are waiting to hear from our Authority. BCW&SA are definitely interested in a 20-25 year contract.

Dr. Rajput stated that BCW&SA informed him that they would draft the contract and send it to the Board for review. In allowing BCW&SA to draft the contract this would save the Authority that expense.

Mr. Verduci stated that this is all well and good, but he wants to see what the end profit will be. How much it is going to cost for the chemicals, electricity, etc. Dr. Rajput replied that he will have detailed calculations to present to the Board at the February meeting.

After further discussion the following motion was made:

Motion

Mr. Czyzyk made a motion, seconded by Mr. Monahan, to have BCW&SA draft a contract for a 25 year period for the purchase of Bulk Water from LBCJMA.
Motion carried unanimously.

Meter Department: Meter Testing for Flow Accuracy

As a part of PADEP annual reporting requirements, MeterPro Services, Inc. conducted a flow accuracy test of the Authority's 8 inch bulk water meter for BCW&SA interconnection located in Snowball Gate. It has been determined that the minimum range of the meter is 190 GPM. Since the flow rate at this location is generally low or below 190 GPM, this meter is not the correct application and therefore does not accurately measure the water flow. Based on the evaluation of available meters, as well as discussing this with MeterPro Services and Sensus, the Authority's meter supplier, it has been determined that a turbo type meter is the most suitable meter for this application. A solar energy operated turbo metering system is being evaluated as an alternative to the electric operated meter. In this regard, the required data is being collected to determine if the solar energy operated system will work at this location. The preliminary cost estimate for this system is between \$9,000 - \$12,000 depending upon the cost of a solar panel and installation cost. Most of this work will be done in-house.

Motion

Mr. Armstrong made a motion, seconded by Mr. Czyzyk, giving permission to Dr. Rajput to spend \$9,000 to \$12,000 for upgrades to be made to the Snowball Gate Pumping Station as listed above, with most of the work to be done in-house.
Motion carried unanimously.

Evaluation of the Existing Water Meter Replacement Program

In order to test and determine the accuracy of the other existing bulk water meters and large commercial meters, a portable Ultrasonic Flow Meter will be purchased. The cost of this meter is \$8,771.00. This meter will serve two purposes; performing the required PADEP testing and it will also assist in determining the accuracy of large water meters.

An evaluation of the Authority's existing water meter replacement program has been conducted, specifically in terms of current and future water meter technology. On January 22, 2010, a representative from Sensus gave an excellent presentation and it was found that touch read meter technology will become obsolete within the next five (5) years and will be replaced with radio read technology.

Approximately 80% of the Authority's meters have been replaced with touch read pad technology. Approximately 500 meters have been installed with the radio read technology. There are approximately 5,000 manual read meters that need to be replaced and are being replaced under the on-going replacement program.

Sensus is currently conducting a preliminary study, at no cost to the Authority, to evaluate the feasibility and cost of the radio read system "Flex Net". Dr. Rajput explained that this is a proprietary item, and is exempt from the bidding process. Mr. Downey stated that he received the appropriate paperwork acknowledging that this is a proprietary item and therefore exempt from the bidding laws. Dr. Rajput requested Board approval for this item.

Motion

Mr. Monahan made a motion, seconded by Mr. Verduci, to approve the purchase of a portable Ultrasonic Flow Meter in the amount of \$8,771 as presented by Dr. Rajput. Motion carried unanimously.

LD Davis Building Improvement Project

Dr. Rajput reported that Phase II of the field garage area that includes sealing off the area required to heat is ready to begin. The estimated cost of materials for this portion of the project is approximately \$9,000. All installation work will be done in-house. Phase III will involve installation of the heating system to maintain temperature around 50 degrees Fahrenheit.

Motion

Mr. Verduci made a motion, seconded by Mr. Monahan, granting permission to Dr. Rajput to purchase the materials needed to begin Phase II of the LD Davis Building Improvement Project. Motion carried unanimously.

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

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

Mr. Downey reported that an Arbitration Hearing has been scheduled for February 16, 2010. There is a meeting scheduled for tomorrow morning, February 17th to prepare for the arbitration.

Executive Session

At 8:25 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 8:52 P.M. Mr. Downey stated that during the executive session litigation and personnel matters were discussed.

**Appointment of Managing Director/Director of Operations
Motion**

Mr. Chase made a motion, seconded by Mr. Armstrong, appointing Dr. Rajput as the Authority's Managing Director/Director of Operations. This is to include a five (5) year contract and a salary of \$105,000 per year, including all benefits that pertain to the supervisor's contract, and is effective immediately. Mr. Chase added that by not filling the position of Director of Operations, this will be a savings to the Authority of approximately \$100, 000 per year in benefits.

Bristol Township/Tullytown Borough Charter

Mr. Chase asked the Board for a motion authorizing Dr. Rajput and Mr. Downey to draft the necessary documents to contact Bristol Township and Tullytown Borough to extend their charter.

Motion

Mr. Monahan made a motion, seconded by Mr. Czyzyk, authorizing Dr. Rajput and Mr. Downey to draft the necessary documents to contact Bristol Township and Tullytown Borough to extend their charter.

Motion carried unanimously.

Finance Director's Report

Ms. Koszarek stated that at last month's meeting the Board had requested a breakdown of all electric charges, which she included in the packets sent to the Board.

Ms. Koszarek reported on the following:

- Revenue Account Balance \$ 5,844,968
- Penn Vest Account Balance: \$6,033,552

Tape broke.

Administration/Supervisor's Reports

The administration/supervisor's reports were previously distributed to the Board for informational purposes.

- V. Capaldi, Superintendent Water Filtration Plant
- G. Tosti, Plant Manager Wastewater Treatment Plant
- P. Smythe, Field Technician Wastewater Treatment Plant
- N. Burnell, Meter Dept Supervisor Administration

Old Business

At this time there was no old business brought before the Board.

New Business

At this time there was no new business brought before the Board.

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. Verduci, to adjourn the Board meeting at 9:12 P.M.
Motion carried unanimously.

Respectfully Submitted by:

Susan DeRosier, Secretary