

Lower Bucks County Joint Municipal Authority

Board Meeting Minutes ~ October 27, 2016

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Thursday, October 27, 2016 at the Authority's Administration office located at 7811 New Falls Road, Levittown, Pennsylvania 19055.

Executive Session

An Executive Session was held from 6:00 P.M. to 6:50 P.M. Mr. Downey will advise during his report.

Call to Order

Mr. Chase, Chairman, called the meeting to order at 7:05 P.M., which was followed by the Pledge of Allegiance and a moment of silence for all the men and women that put their lives on the line every day for the safety of our country.

Roll Call

Mrs. Magro, Administrative Secretary took roll call as follows:

Board Members Present:

James Chase
Rich Altmiller
Sandra Della-Croce
Cindy Murphy
John Monahan

Board Members Absent

Joseph Glasson

Also Present:

Vijay Rajput, Ph.D., P.E., Managing Director
Colleen Dunn, Finance Manager
Nancy Burnell, Supervisor, Meter Department
Debbie Magro, Administrative Secretary
James A. Downey, III, Solicitor
Fred Walcott, Superintendent – Water Filtration Plant
Mike Hoelzle, Assistant Superintendent
Phil Smythe, Field Technician/Lift Station Supervisor
Mike Andrews, Engineering Assistant
Bob Serpente, Consulting Engineer

Public Participation

At this time, Mr. Craig Bowen of 2501 Avenue B, Newportville asked to speak to the Board. Mr. Bowen's concern is that he has owned the property next to 4010 New Falls Road (formally King's Caterers) which is called Bowen Avenue since the early 80's and at that time a water line was installed

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from the front of 4010 New Falls Road down his Road (Bowen Avenue) and connects into Durham Deli. Mr. Bowen is hoping to pave the road sometime next year and would like to dedicate the road and is asking what happens to the water line. Dr. Rajput believes there is a provision to dedicate the line. Dr. Rajput suggested that Mr. Bowen meet with him to discuss his options.

Approval of the October 2016 Accounts Payable as Presented to the Board Directors.

Motion

Mr. Monahan made a motion, seconded by Ms. Della Croce, to approve the October, 2016 Accounts Payable as presented.

Questions/Comments

Ms. Della Croce questioned the following invoice(s)

Evoqua Water Technologies, LLC

Invoice: # 902807643

Amount: \$58,295.00

Remove and replace 1 gas waste burner and pressure relief valve.

Dr. Rajput replied that this was emergency maintenance to Digester #1 Pressure Relief Valve and Flame assembly.

Gayle Corporation

Invoice #: 15469

Amount: \$573.61

Replacement and spare supplies for G.R. Pumps

Mr. Chase replied that these were spare parts for the Gorman Rupp Pumps

PMRS (Pennsylvania Municipal Retirement System)

Invoice#: 2016 MMO – Supervisors Unit

Amount: \$670,252.00

Invoice #: 2016 Non-Supervisors Unit

Amount: \$368,720.00

Invoice #: 2016 Extra Fund – Supervisors Unit

Amount: \$375,000.00

2016 Extra Fund – Non Supervisors Unit

Amount: \$125,000.000

Dr. Rajput explained that this is for the yearly MMO for the Authority's Pension Plan which was approved last month.

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Mr. Altmiller questioned the following invoice(s)

Done by Done

Invoice #: 1011b-12

Amount: \$4,410.00

Power washed and sealed cracks in containment basin

Dr. Rajput explained that this was in regards to the Ferric Chloride Tank leak. There were some cracks that needed to be patched. Mr. Chase added that they also had to power wash the area and dispose the waste as it is contaminated material.

Roll Call on the Motion

Mr. Chase	Aye
Mr. Altmiller	Aye
Ms. Della-Croce	Aye
Mrs. Murphy	Aye
Mr. Monahan	Aye

Motion carried unanimously

Approval of the Board Meeting Minutes of September 27, 2016

Motion

Mrs. Murphy made a motion, seconded by Mr. Monahan, to approve the Board Meeting Minutes of September 27, 2016 as presented.

Roll Call on the Motion

Mr. Altmiller	Aye
Mr. Chase	Aye
Ms. Della-Croce	Aye
Mrs. Murphy	Aye
Mr. Monahan	Aye

Motion carried unanimously

Pretreatment Variances

Wendy's Restaurant – 1419 E. Lincoln Highway, Levittown – Permit #F112-2015 (07/22/2015 – 07/21/2016).

This Facility failed to perform O&G analysis by July 21, 2016. NOV issued on August 22, 2016, Comp Order issued on September 22, 2016, Show Cause order issued on October 12, 2016. No data or response has been received to date.

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Wendy's Restaurant – 1151 Oxford Valley Road, Levittown. Permit #F017-2015 (12/01/2015 – 11/30/2016)

This Facility failed to perform O&G analysis by June 1, 2016. NOV issued on August 10, 2016, Comp Order issued on September 12, 2016, Show Cause Order issued on October 12, 2016. No data or response has been received to date.

Dr. Rajput stated that due to the fact that the Authority has not received any response to date regarding both facilities, the Authority will issue a Cease and Desist Order. Ms. Elisa Hufford, District Manager for both facilities replied that QC Laboratories was contacted today to schedule testing for the beginning of November. There was further discussion and the following motion was made:

Motion

Mr. Altmiller made a motion, seconded by Mrs. Murphy, to table the Cease and Desist Order for Wendy's Restaurant located at 1419 E. Lincoln Highway and Wendy's Restaurant – 1151 Oxford Valley Road until the November 22, 2016 Board Meeting.

Roll Call on the Motion

Mr. Altmiller Aye
Mr. Chase Aye
Ms. Della-Croce Aye
Mrs. Murphy Aye
Mr. Monahan Aye
Motion carried unanimously

Porfirio's II Pizza & Pasta – 935 Veterans Highway, Levittown – Permit # F135-2015 (07/09/2015 – 07/08/2016)

This facility failed to perform TSS and O&G analysis by July 8, 2016. An NOV was issued on August 10, 2016, Comp Order issued on September 12, 2016, Show Cause Order issued on October 12, 2016. No data or response has been received to date.

Dr. Rajput stated that there was no one present from this facility. Mr. Altmiller asked what the next step involved. Mr. Chase replied that Mrs. Wallover will continue with the Cease and Desist Order.

Motion

Mr. Altmiller made a motion, seconded by Mrs. Murphy, to advise Mrs. Wallover to proceed with the Cease and Desist Order for Porfirio's II Pizza & Pasta located at 935 Veterans Highway.

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Roll Call on the Motion

Mr. Altmiller Aye
Mr. Chase Aye
Ms. Della-Croce Aye
Mrs. Murphy Aye
Mr. Monahan Aye
Motion carried unanimously

Managing Director's Report

Contract WWTP-372: Furnish and Deliver Rock Salt (Sodium Chloride) for the 2016-2017 Season through Bucks County Consortium Salt Bid

Bids were opened on Monday, October 17, 2016 through the Bucks County Consortium for the purchase of Rock Salt for the 2016-2017 season. The results of the bids, along with supporting documents were forwarded to the Authority for review and award consideration. Morton Salt, Inc., located at 123 N. Wacker Drive, Chicago, IL 60606-1743 submitted the lowest unit bid of \$56.13 per ton delivered. Last year's bid price was \$63.97 per ton delivered showing a decrease in cost of \$7.84 per ton. This contract will run thru September 30, 2017.

Motion

Mr. Altmiller made a motion, seconded by Mr. Monahan, to award Contract WWTP-372: Furnish and Deliver Rock Salt (Sodium Chloride) for the 2016-2017 Season through Bucks County Consortium Salt Bid to Morton Salt, Inc., located at 123 N. Wacker Drive, Chicago, IL 60606-1743 who submitted the lowest unit bid of \$56.13 per ton delivered.

Roll Call on the Motion

Mr. Altmiller Aye
Mr. Chase Aye
Ms. Della-Croce Aye
Mrs. Murphy Aye
Mr. Monahan Aye
Motion carried unanimously

Contract WWTP-359: Furnish and Install One (1) Sludge Dewatering Centrifuge at the Wastewater Treatment Plant

On October 20, 2016, a construction progress meeting was held for the purpose of discussing and reviewing shop drawing submittals, equipment delivery and installation schedule. The contractor will install a monorail and hoist system once they are received.

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The contractor also offered to dismantle, remove and deposit metal parts of the existing belt press in the Authority's supplied container at no additional cost to the Authority. This portion of the work was not included in the contract as this was going to be done in-house. This project is being designed and managed in-house.

Water Quality Management Part II Permit Application for Installation of the Centrifuge System

The Authority is in the process of completing the Water Quality Management Part II Permit Application Package per the requirements of the PADEP for the replacement of the existing old belt press with a new advanced high solid sludge dewatering centrifuge. The Application Package should be submitted on or before October 28, 2016.

Contract WWTP-359: Installation of Cured-In-Place Sanitary Sewer Lining in Various Locations – Phase V LBCJMA Wastewater Collection System

The Authority is currently in the process of completing the technical specifications and contract documents for installation of the Cured-In-Place Sewer Lining under Phase V. The lining work of 2016 and 2017 are being combined under this phase. Included in this phase, the Authority is planning to line approximately 54,000 linear feet of 8 to 21 inch pipe. This project is part of the Authority's ongoing Wastewater Collection System Rehabilitation. The results of the ongoing rehabilitation/lining project as well as the easement maintenance program have been a great success in terms of reduction in I & I flow, sewer blocks and sewer backups. Bid results will be presented to the Board at the November or December Board meeting. This project is being designed and managed in-house.

Ferric Chloride Tank Replacement at the Water Treatment Plant

The tank installer has received the required float system and they are planning to complete the installation during the week of October 24th. As per the requirements of the PADEP, the Authority has completed the prerequisite soil sampling and received the analytical results for total iron and chloride content. The results indicate that the total iron and chloride content in the soil samples collected from the affected site are within the same range as that of the background soil samples. A report will be submitted containing the results to the PADEP.

Water Distribution System Maintenance Program – Rehabilitation/Replacement of Existing Water Mains Phase II

Once the water distribution system flushing has been completed, the Authority is planning to replace approximately 1,000 – 1,500 lineal feet of water mains in the Vermillion Hills section.

The Authority had a very productive meeting with TOFA regarding the looping of the existing 6 inch water main dead end at Trenton Road with TOFA's 12 inch water main. The Authority will furnish and install the meter with back flow preventor and meter pit and TOFA will install the 6 inch wet tap and bring the 6 inch water main from their side the Authority's meter pit side.

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Contract WWTP-366: Furnish and Deliver Three (3) Grinders for the Wastewater Pump Stations

Shop drawings for this project have been reviewed and the contractor has taken all required measurements for fabrication.

Contract A-312: Administration Building Extension

Installation of the concrete slab and underground utilities has been completed and installation of the building has started.

NPDES Permit Renewal for the Water Treatment Plant

The Authority is in the process of compiling all the required data and monitoring for the permit renewal application. This should be submitted on or before November 30, 2016.

Water and Wastewater Systems

The average drinking water supplied for the month of September 2016 was approximately 9.45 MGD, and the monthly average effluent flow from the Wastewater Treatment Plant was approximately 5.02 MGD.

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

Mr. Downey reported that an executive session was held from 6:30 P.M. to approximately 7:00 P.M. Information pertaining to the current negotiations for the Collective Bargaining Agreement was discussed by the Board. The negotiations are ongoing and are scheduled in to December.

As per the Sunshine Law requires, Mr. Downey reported on the following:

- Unfair Labor Practice:
Indexed at Commonwealth Department of Labor EERA C14223-E. Involving Authority employee Anthony Pipito was scheduled for November 3rd. Mr. Pipito withdrew his claim the Saturday before the hearing.
- Easement Violations:
 - LBCJMA v Velez/Mauro indexed at #2016-0138. Mr. Velez has contacted Mr. Downey and he in turn has asked Authority personnel to go to the property to ensure he is complying.
 - LBCJMA v McComos indexed at #2015-0860 – no response to date.

While in Executive Session a comment was made regarding people that are defaulting. Mr. Downey stated that he has filed dozens of liens in the last month alone, this has been going on month after month. Someone asked if it is a sign of the times with Mr. Downey replying most definitely.

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Finance Manager's Report

Mrs. Dunn, Finance Manager, reported the following:

Bank Balance as of October 27, 2016	\$13,395,233.20
Committed project Funds	<u>\$ 2,854,600.21</u>
Balance	\$10,540,632.99.

Old Business

There was no Old Business presented to the Board.

New Business

Mr. Chase stated that after a discussion with Dr. Rajput and some of the staff he would like to entertain a motion to authorize Dr. Rajput and staff to create a new fee schedule intended for customers with non-payments on their water and sewer bills. It appears that some customers continue to put off payment which is becoming a cost factor for the Authority and when it costs us money it in turn costs all of the good people who pay their bills on time.

Motion

Mr. Altmiller made a motion, seconded by Ms. Della Croce, authorizing Dr. Rajput and staff to create a new fee schedule for customers with non-payment on their water and sewer bills.

Roll Call on the Motion

Mr. Altmiller Aye
Mr. Chase Aye
Ms. Della-Croce Aye
Mrs. Murphy Aye
Mr. Monahan Aye
Motion carried unanimously

Easement Violation – 71 Wildflower Road

David Truelove, Esq. of Hill Wallack, LLP. Is representing the homeowner's of 71 Wildflower Road concerning an easement issue involving a pool and shed. Mr. Truelove stated the homeowner's of 71 Wildflower Road purchased the property in 1995 and at that time there was an existing shed and above ground pool.

Sometime in this summer a Notice of Violation was filed against the homeowner's of 71 Wildflower Road. Dr. Rajput explained that per the DEP requirements, once the Authority identifies that we are unable to access the sewer line, then it becomes the Authority's responsibility to ensure that it is accessible at all times. Mr. Chase stated that the initial problem began years ago when a property owner went to the Townships or Borough for a permit to install a shed, pool, etc. the property owner at the time was given

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the permit and the Authority was never contacted. The Authority started the Easement Program and are actively inspecting each property to determine if there is anything that could possible block the right-of-way (easement) should the Authority need to gain access in an emergency situation.

Mr. Truelove is requesting a variance and if there is any issues with respect to access, they are more than willing to pay for the necessary costs to access any utilities that would be required and also to determine before the next meeting exactly where the right of way is relative to the pool and shed. Mr. Downey stated that the Authority has plot plans for every lot in Levittown. Mr. Downey further indicated that one of the issues the Authority has is the Political Subdivision Tort Claims Act. Mr. Downey went on to explain the Commonwealth of Pennsylvania and its Municipalities were immune from suite, they are not anymore, now there are six (6) or eight (8) categories. One specifically applies to Water and Sewer Authorities. Should the Water and Sewer Authority have knowledge or notice that there is an issue or problem such as a shed on the line, a pool on the line, etc. and the Authority does not take action and the Authority gets sued the Authority would lose. However, if something is done than that is an absolute defense. Mr. Chase asked Mr. Smythe if he would be able to mark the site so that the homeowner's of 71 Wildflower Road would know exactly where the line runs. Mr. Smythe replied that it would be no problem, it is done all the time. Dr. Rajput informed Mr. Truelove that the Authority does not grant variances on easement issues. He suggested that the homeowner's of 71 Wildflower Road follow through with Mr. Smythe.

2016 Christmas Luncheon

Each year the Board Directors are asked to approve a Christmas Luncheon for the employees. It is one way to thank them for a job well done. At this time, Dr. Rajput is requesting Board approval to disburse funds to each department for the employees Christmas luncheon.

Administration	\$400.00
Water Treatment Plant	\$400.00
Wastewater Treatment Plant	\$500.00

Motion

Mr. Altmiller made a motion, seconded by Mr. Monahan, approving the disbursement of funds to each department for the employees Christmas Luncheon as follows:

Administration Office	\$400.00
Water Treatment Plant	\$500.00
Wastewater Treatment Plant	\$500.00

Questions/Comments

Mrs. Dunn stated that at this time she is not certain of the exact totals that were dispersed last year so she is asking if they could be done the same as last year. After further discussion the motion was amended and now reads:

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Revised Motion

Mr. Altmiller made a motion, seconded by Mr. Monahan, approving the disbursement of funds to each department for the employees Christmas Luncheon plus or minus what was allotted last year.

Roll Call on the Motion

Mr. Altmiller	Aye
Mr. Chase	Aye
Ms. Della-Croce	Aye
Mrs. Murphy	Aye
Mr. Monahan	Aye

Motion carried unanimously

Public Participation

Mike Nye, resident of Indian Creek and a member of the Bristol Township Environmental Advisory Council addressed the Board. Mr. Nye noticed that the Authority is purchasing salt for the winter season and inquired if the Authority was also buying sand, Mr. Nye stated there are a number of times and places where sand is a lot more useful in preventing salt washout from the roads February through April and he is hoping to avoid some of that going into the streams and marsh. Dr. Rajput informed Mr. Nye that the Authority only uses salt when it is needed and only within its facilities.

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Adjournment

Mrs. Murphy made a motion, seconded by Mr. Altmiller, to adjourn the Board meeting at 7:48 P.M.

Motion carried unanimously.

Respectfully submitted by:

A handwritten signature in blue ink, reading "Sandra Della-Croce", written over a horizontal line.

Sandra Della-Croce
Secretary

DM/
DPM0108 (52.30)