

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
November 28, 2007**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Wednesday, November 28, 2007, at the Authority's Administration office located at 7811 New Falls Road, Levittown, Pennsylvania, 19055.

Call to Order

Mr. Monahan, 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 the passing of Authority employee Robert Dietz and our US Soldiers overseas.

Roll Call

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

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

Also Present: Janet A. Keyser, Managing Director
Lauren Marterella, Acting Asst. to the Director
Deborah Magro, Administrative Secretary
Vijay Rajput, Director of Operations
Gary Tosti, WWTP Plant Manager
William Ottey, Superintendent, WTP
Mike Perrone, Asst. Superintendent, WTP
Phil Smythe, Field Technician
Susan Wallover, Pretreatment Coordinator
James Downey, Esquire
Robert Serpenti, P.E., Consulting Engineer

Approval – Payment of Accounts Payable November 2007

Question/Comment

Mr. Verduci questioned the following invoice.

1. D & B Guarino Engineers, LLC
Invoice# 9-262 September
Engineering Services 09/01/2007 through 09/28/2007
Amount: \$27,232.35

Mr. Verduci asked how the Authority was being billed. Mrs. Keyser explained that there are several projects that the Consulting Engineer is working on that are incorporated in this invoice. What is being billed is work that they performed from September 1st through September 28th.

- 2. AFLAC
Invoice #663461
October 2007 Employee Premium
Amount: \$2,468.82

Mrs. Keyser responded that AFLAC is paid by the employee. The money is deducted from the employee's paycheck then the Authority sends a check to AFLAC for the premium.

Motion

Mr. Monahan made a motion, seconded by Mr. Verduci, to approve payment of the Accounts Payable for the month of November 2007 in the amount of \$968,009.66 as presented.
Motion carried unanimously.

Approval - Board Meeting Minutes – September 19, 2007

Motion

Mr. Monahan made a motion, seconded by Mr. Verduci, to approve the Board meeting minutes of October 25, 2007 as presented.

Roll call on the Motion

Mr. Monahan	Aye
Mr. Verduci	Aye
Mr. Adams	Aye
Mr. Chase	Aye
Mr. Czyzyk	Abstain (Mr. Czyzyk was not present at the October meeting)

Motion carried 4 Aye votes – 1 Abstention

Pretreatment Variances

LBCJMA's Resolution, Enforcement Response and Civil Penalty Policy

Mr. Downey, Solicitor, reported that due to EPA's new streamlining regulations, the Pretreatment Resolution is required to be updated to reflect the mandatory changes. The draft Resolution was advertised in the Bucks County Courier Times on October 29, 2007 and a thirty (30) day Public Review and Comment is available through November 28, 2007.

Mr. Downey asked if there had been any questions or comments regarding the Resolution. Mrs. Wallover responded that there were none. Mr. Downey stated that the Resolution should be approved before the end of the year. Mrs. Wallover added that the current local limits will need to be revised within one (1) year.

Motion

Mr. Chase made a motion, seconded by Mr. Verduci, to approve the Pretreatment Resolution as presented and appropriately advertised in order to begin submitting it to the Municipalities that are within the service area of the Authority.

Motion carried unanimously.

Wal-Mart – Route 13 and Levittown Parkway Store #2068-005

Mrs. Wallover informed the Board that Peter Chandler, of Greenberg Farrow, was expected at tonight's meeting. Plans were submitted for the proposed Wal-Mart, to be located at Route 13 and Levittown Parkway in the Levittown Shopping Center. Mrs. Wallover stated she received a request for a variance for floor drains at the facility in the kitchen.

After further discussion it was decided to table any action until the January 16, 2008 Board meeting.

**Solicitor's Report – James A. Downey, III, Esquire
George Schultz & Neighbors – Middletown Township Water Connections**

Mr. Downey stated that at the last month's Board meeting a motion was made instructing him to draw up an Agreement indicating that if Mr. Schultz agrees, and as long as he is living in the home, the Authority would waive the permit fee in the amount of \$1,773.00, as well as waiving the cost of the meter, meter pit and anything else that would be needed for the installation, and the Authority would donate the fire hydrant. This Agreement would also be extended to Mr. Schultz's neighbors with the stipulation that they make their decision by November 30, 2007. This would be a onetime Agreement. If/when any of the properties are sold then the Authority would be reimbursed for all costs listed above. With the holidays, etc., the letters were not able to get out fast enough. Mr. Downey asked the Board for their approval for a motion to extend the deadline from November 30, 2007 to December 31, 2007.

Motion

Mr. Chase made a motion, seconded by Mr. Verduci, to extend the deadline until December 31, 2007 for the agreement that was drawn up by Mr. Downey for Mr. Schultz and his neighbors to enter into a onetime agreement with the Authority where the Authority would waive the permit fee in the amount of \$1,773.00, as well as waive the cost of the meter, meter pit and anything else that would be needed for the installation, and the Authority would also donate the fire hydrant.

The agreement would indicate that if/when any of the properties are sold then the Authority would be reimbursed for all costs listed above.

Motion carried unanimously.

Bristol Township Bulk Sewer Agreement

Mr. Downey stated that he along with Dr. Rajput, the Authority's Auditor, Peter Place, Mrs. Burnell and Mrs. Keyser, have been diligently working to re-establish the Bulk Sewer Agreement with Bristol Township. After a number of meetings with their representatives a draft Agreement was drawn up and presented to Bristol Township. The draft Agreement states that the LBCJMA would charge Bristol Township \$2.36 per 1,000 gallons for sewage treatment with a maximum daily flow of 500,000 gallons per quarter. Should the flow exceed the 500,000 gallon per quarter limit, then a surcharge of 5% would be added. There are presently one hundred fifty nine (159) EDU Billings in Laurel Bend and Green Lynne.

Mr. Downey indicated that he received a letter from Russ Saco, Bristol Township's Solicitor, requesting changes to the Agreement. The requested changes would be to pay \$1.73 per 1,000 gallons of sewage treatment and not be surcharged until it reaches 850,000 gallons.

Mr. Downey asked the Board for a motion to begin January 1, 2008 to bill Bristol Township Authority at the rate of \$2.36 per 1,000 gallons of sewage treated up to 500,000 gallons in excess of that to be surcharged at 5%. And to approve the agreement as drafted.

Motion

Mr. Czyzyk made a motion, seconded by Mr. Chase, to begin as of January 1, 2008, to begin billing Bristol Township at the rate of \$2.36 per 1,000 gallons of sewage treated up to 500,000 gallons anything over 500,000 gallons would then be surcharged at 5%, and to approve the Agreement as presented.

Motion carried unanimously.

Executive Session

At 7:23 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 7:30 P.M. with Mr. Downey stating during the executive session both personnel and litigation matters were discussed.

Managing Director's Report

Mrs. Keyser reported on the following items.

**Financial Assistant to the Director
Temporary Position**

Mrs. Keyser reported that both she and Peter Place, the Authority's Auditor, interviewed a candidate to temporarily fill the position of Financial Assistant to the Director. The candidate, Patricia Koszarek, has quite an extensive resume with much experience and knowledge in the financial/accounting field, personnel and Human Resource. Both Mr. Place and Mrs. Keyser highly recommend to the Board that Ms. Koszarek be temporarily hired in the position of Financial Assistant to the Director until Donna Farris returns to work or her disability time period expires. Mrs. Keyser said that a motion would be in order to ratify the hiring of Ms. Koszarek in this status, which would be effective Monday December 3, 2007. Mrs. Koszarek would receive the same salary of \$33,504 that Mrs. Farris earned.

Motion

Mr. Chase made a motion, seconded by Mr. Czyzyk, to hire Ms. Patricia Koszarek in the temporary position as Financial Assistant to the Director, at the rate of \$33,504 until Donna Farris returns to work or her disability time period expires with the effective date of hire to be Monday, December 3, 2007. Motion carried unanimously.

Employee's Christmas Luncheon

Each year the Board Directors are asked to approve a Christmas luncheon for the employees. It is one way to thank the employees for a job well done. Mrs. Keyser asked for the Board's approval to disburse funds to each department for the employee's Christmas luncheon in the same amounts that were given last year.

Motion

Mr. Chase made a motion, seconded by Mr. Adams, authorizing the Managing Director to disburse the same amounts given last year to each department for the employee's Christmas luncheon. Motion carried unanimously.

Acting Assistant to the Director's Report

Mrs. Marterella stated the following was included in her report:

Human Resources

New Hires

- Anthony Mancuso Water Plant Utility Position
- William Nysse Water Plant Midnight Operator
- Toni Thompson Water Plant 3-11 Operator

Transfers

- Nancy Burnell Awarded Meter Department Supervisor
- Dennis Burnell Awarded Work Leader-Meter Reading Dept.

Employees on Disability Leave

- James Pirolli Wastewater Treatment Plant
- Donna Farris Administration
- Lawrence MacSherry Field Maintenance
- Andrew Bashada Wastewater Treatment Plant
- William MacSherry Wastewater Treatment Plant

Employees on Worker Compensation Leave

- Joseph Pollio Wastewater Treatment Plant

Director of Operation's Report

Dr. Rajput reported on the following items:

Contract No. WWTP-266: Water Filtration Plant Flocculation Tanks Concrete Repairs (Capital Project)

Bids were received on November 26, 2007 for the above contract. Below is a summary of the bid results.

Bidder	Total Bid Price
ARS, Inc. 599 Debaldo Drive West Mifflin, PA. Phone: 412-719-8058 – Fax: 412-466-8303	\$264,250.00
Watts Restoration, Inc. 900 Miller Avenue Croydon, PA. 19021 Phone: 215-426-7500 – Fax: 215-426-7501	\$455,930.00
Masonry Preservation Group 706 West Maple Avenue Merchantville, NJ 08100 Phone: 856-663-4158 – Fax: 856-663-4153	\$95,995.00
K. E. Seifert, Inc. 155 North Green Street Langhorne, PA. 19047	\$96,880.00

D&B Guarino Engineers, LLC, the Authority’s Consulting Engineers have reviewed all bids submitted. It is recommended awarding **Contract No. WWTP-266: Water Filtration Plant Flocculation Tanks Concrete Repairs to ARS, Inc. 599 Debaldo Drive West Mifflin, PA. with a total base bid in the amount of \$264,250.**

Motion

Mr. Chase made a motion, seconded by Mr. Adams, to award Contract No. WWTP-266: Water Filtration Plant Flocculation Tanks Concrete Repairs to ARS, Inc., 599 Debaldo Drive West Mifflin, PA., for their total base bid in the amount of \$264,250.
 Motion carried unanimously.

Contract No. WWTP-271: Replacement of Well No. 5 at the Water Treatment Plant (Capital Project)

Bids were received on November 26, 2007 for the above contract. A summary of the bid results is presented below.

Bidder	Total Bid Price
A.C. Schultz, Inc. 664 S. Evergreen Avenue Woodbury Heights, NJ 08097	\$137,650.00

Dr. Bruno Mercury, P.G., Mercuri Associates, Inc., has reviewed the bid documents. Since only one (1) bid was received, and the price is higher than anticipated/estimated, it is recommended the Board Directors reject the bid received and rebid and include the modifications that have been recommended by Dr. Bruno Mercury, P.G., Mercuri Associates, Inc.

Motion

Mr. Adams made a motion, seconded by Mr. Chase, to reject the one (1) bid received from A. C. Schultz, Inc. for Contract No. WWTP-271: Replacement of Well No. 5 at the Water Treatment Plant rebid and revise with the modifications that have been recommended by Dr. Bruno Mercury, P.G., Mercuri Associates, Inc.
 Motion carried unanimously.

Contract No. WWTP-270: Furnish and Deliver One (1) Electrician Truck (Capital Project)

Bids were received on November 8, 2007 for the above contract. A summary of the bid results is presented below.

Bidder	Total Bid Price
Altec Industries, Inc. 250 Laired Street Plains, PA 18705 Phone: 570-822-3104 – Fax: 570-822-3108	\$84,590.00
Brian Haskins Ford, Inc. 2601 E. Lincoln Hwy. Coatsville, PA 19320 Phone: 610-384-4242 – Fax: 610 384-5707 NOTE: This bidder did not purchase/obtain the bidding documents from the Authority thus did not receive the addendum issued by the Authority.	\$84,000.00

There were a total of two (2) bids received. Brian Haskins Ford, Inc. did not purchase/obtain bid documents from the Authority. As a result they did not receive the addendum issued on the required changes to the technical section of the bid documents. Since the bid proposal is not filled out correctly pertaining to the addendum and the bidder made corrections to the technical section of the specifications, the bid proposal submitted by Brian Haskins Ford, Inc., is considered to be non-responsive and non-conforming. It is recommended awarding Contract No. WWTP-270: Furnish and Deliver One (1) Electrician Truck to Altec Industries, Inc., 250 Laired Street Plains, PA 18705 in their bid amount of \$84,590.00.

Questions/Comments

Mr. Czyzyk suggested putting this contract out for rebid and possibly advertising in other areas. Mr. Adams asked if there is a need for this vehicle. Mr. Czyzyk asked how long the Authority has been without one. Mr. Tosti responded that it has been approximately three (3) years. Mr. Verduci stated that since the truck is not utilized on a regular basis why not buy a regular utility body and another smaller truck for the Electrician to use when he does not need the truck with the lift.

Mrs. Keyser replied that we have not done without it for three (3) years, we have either rented the equipment from Bailey Electric or have called them in to do the job. Mr. Verduci suggested buying a used electrician's vehicle for much less money. Mr. Czyzyk made the suggestion to rebid this and revise the specifications for a new or used vehicle. Mr. Adams feels that it would not be a good idea to buy a used vehicle.

Motion

Mr. Czyzyk made a motion, seconded by Mr. Chase, to reject the bids received on 11/18/2007 for Contract No. WWTP-270: Furnish and Deliver One (1) Electrician's Truck, and to rebid with the revision for a new or used vehicle.

Roll Call on the Motion

Mr. Monahan	Aye
Mr. Verduci	Aye
Mr. Adams	Abstain (Mr. Adams stated he is against buying a used vehicle)
Mr. Chase	Aye
Mr. Czyzyk	Aye

Motion carried 4 Aye votes – 1 Abstention

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

Supervisors Reports – (Distributed but not read aloud)

- Bill Ottey, Superintendent Water Treatment Plant
- Vince Capaldi, Asst. Superintendent Water Treatment Plant
- Gary Tosti, Plant Manager Wastewater Treatment Plant
- Phil Smythe Field Technician

Mrs. Keyser asked that the Board read the Supervisor's reports in order to keep them up to date on current projects and issues. Mr. Smythe gave an especially detailed report this month. At this time Mrs. Keyser asked the Supervisor's if they had anything that they wanted to report to the Board. Mr. Tosti, stated that he wanted to thank the Board Directors for recognizing the passing of Bob Dietz. He was a good guy and a very good employee.

Old Business

There was no old business brought before the Board.

New Business

New Superintendents

Mr. Czyzyk asked with the new Supervisor's coming on board, are Mr. Capaldi and Mr. Perrone licensed for the Water Plant. Mrs. Keyser responded that they are both licensed as per the requirements of DEP and EPA. Mr. Czyzyk then asked Mr. Tosti if he has been licensed for the Sewer Plant yet. Mr. Tosti responded that he was not. He tried to register this month but the classes were already booked up, but that he is going to go for his plant license in April 2008.

Public Participation

Jennifer Smythe employee, asked with the hiring of the new Financial Assistant, will that eliminate the clerical upgrade in pay and additional duties issue that is currently headed to arbitration. Mr. Downey responded no. Susan Wallover asked what effects will that have on the National Labor Relations Board. Mr. Downey replied none.

Adjournment of Board Meeting

Mr. Chase made a motion, seconded by Mr. Adams, to adjourn the Board meeting at 8:00 P.M.
Motion carried unanimously.

Respectfully Submitted by:

James Chase, Secretary

DM/