

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
October 25, 2007**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Wednesday, October 25, 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 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

Absent: Mr. Edward Czyzyk
(Advised Mrs. Keyser last week that he would not be able to attend tonight's meeting)

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

Questions/Comments – Audit - Peter Place, CPA Lopez, Teodosio & Larkin

Mrs. Keyser advised the Board Directors that Mr. Place was in attendance tonight to present the 2006 Financial Audit to the Board.

Peter Place, Auditor for the Authority, gave the presentation of the 2006 Financial Audit. The 2006 Financial Audit has been attached and made part of the minutes.

Motion

Mr. Chase made a motion, seconded by Mr. Adams, to approve the 2006 Financial Audit as presented by Mr. Place.
Motion carried unanimously.

Mr. Monahan thanked Mr. Place and the firm of Lopez, Teodosio & Larkin for the good job that they continue to do for the Authority, along with that Mr. Monahan also wanted to thank the Administrative staff and all other employees and the Board Directors for the good job that they do.

Approval – Payment of Accounts Payable October 2007

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve payment of the Accounts Payable for the month of October 2007 in the amount of \$516,667.16 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 September 19, 2007 as presented.

Motion carried unanimously.

Pretreatment Variances

Savor Saigon – 1150 Oxford Valley Road – Permit #F162-2007 (03/26/2007 – 03/25/2008) Dave Tu owner.

This facility sampled for OBD, TSS, and Oil & Grease on 09/14/2007, however, the facility exceeded BOD limitation. An NOV was issued on 09/24/2007 requiring the facility to clean their grease trap and resample for BOD within 30 days.

Mr. Tu stated that he had the grease trap cleaned two (2) days prior to testing and still failed the BOD levels. Mr. Tu feels that the BOD levels do not have anything to do with sewer blockages. He has syrups and jams that are used in some of the drinks that are served as well as soda. He is asking for a suggestion on how to dispose of these products.

Mrs. Wallover responded that there are many things that can contribute to high levels of BOD. Products that might contain flour such as noodles or rice will contribute to higher levels of BOD. In the past, the Board Directors has given Mrs. Wallover the ability to give BOD notification providing that the user is able to demonstrate that they have routinely cleaned and maintained the grease trap. However, since this facility is such a new user the cleaning that was performed on September 12th is the only test results available, there is no other historical data to compare with.

Mr. Verduci suggested after reviewing Mrs. Wallover's report to discuss the second item listed on her report which pertains to BOD Sampling. Mrs. Wallover responded that the Authority was recently granted a renewal on its MPDS permit.

As of October 1st of this year, DEP no longer requires BOD, influent and/or effluent, however, the Authority is still required to perform the CBOD and do have a parameter through conversion for BOD 5.

Dr. Rajput added that the Authority has current local limits for Pretreatment under which Mrs. Wallover issues a permit and they must comply. Secondly, under the new NPDES permit rather than monitoring for BOD5, the Authority is required to monitor CBOD5. Until those local limits are approved everyone must still comply with the current local limits.

Mr. Chase stated that it is being said that Mr. Tu should resample for BOD's, but the next item on Mrs. Wallover's report is recommending that restaurants discontinue BOD sampling. Why then would we want to make Mr. Tu do this?

Mr. Downey responded that he would give it the most liberal interpretation. With all due deference to Mr. Copland at the EPA and the DEP, people like Mr. Tu could go nuts as we are going nuts trying to figure out how to regulate this. Mrs. Wallover and Dr. Rajput have by reason of the status of the law not anything they do or don't possess in and of themselves no discretion. This Board has to give them the discretion, most specifically as Mr. Chase and Mr. Verduci have pointed out to waive that requirement so it would require a motion by this Board to waive that requirement to remove the notice of violation for Savor Saigon. Now, later in the agenda after discussions with Mrs. Wallover and Dr. Rajput, and Mrs. Keyser, we have gone over the first draft of the new Pretreatment Resolution that will ultimately solve this problem. Now the dilemma that Mrs. Wallover is facing that puts Mr. Tu in a box is that the permit that he was issued by reason of the rules and regulations that existed at that time required such sampling. Mr. Tu's objection is that he's not really violating our rules and regulations because that which he puts into it adversely affects the BOD's. You can remove or waive by motion the violation alleged committed by Savor Saigon and then you can by a second motion cease the requirement that BOD's for food establishments no longer need be tested. So as to this particular person's business it's going to require a motion to remove the notice of violation because of the BOD violation.

Mrs. Wallover suggested sending a mass allocation notifying an establishment that the Board Directors have waived BOD sampling requirements effective whatever date the Board decides on.

1st Motion – Waive BOD Sampling

Mr. Verduci made a motion, seconded by Mr. Chase, to waive the BOD sampling requirements for food establishments serviced by the Lower Bucks County Joint Municipal Authority effective October 2, 2007. Motion carried unanimously.

2nd Motion – Removal of Notice of Violation for Savor Saigon

Mr. Chase made a motion, seconded by Mr. Verduci, to remove the notice of violation and require additional sampling by the business known as Savor Saigon.

Motion carried unanimously.

LBCJMA's Resolution and Enforcement Response and Civil Penalty Policy

Due to EPA's new streamlining regulations, the Pretreatment Resolution is required to be updated to reflect the mandatory changes. The changes will need to be published for public comment and Board approval by 12/31/2007. Also, there are some language changes for restroom floor drains, language changes for kitchens, and car wash requirements.

Mr. Verduci asked Mrs. Wallover to explain the car wash requirements. Mrs. Wallover responded that based on the new permit there are quite a few concerns regarding that. All wording pertaining to "grease interceptor" has been replaced with "grease trap." Not to be confused, grease traps will solely be utilized for food establishments. This will have an impact not so much on the Authority's current users.

Mr. Downey wanted to note for the record that Mrs. Wallover, Dr. Rajput and himself met and reviewed all the language of the Resolution. The public has a thirty (30) day window to review and give any comments on the Resolution. The Resolution needs to be in place by December 31, 2007. Mr. Downey asked the Board Directors for a motion to advertise for Public Notice the Draft of the revised Pretreatment Resolution.

Motion

Mr. Chase made a motion, seconded by Mr. Verduci, to advertise for public notice the Draft of the Revised Pretreatment Resolution.
Motion carried unanimously.

Motion to approve a three (3) year Extension Employment Agreement for Janet Keyser, Managing Director, Effective October 25, 2007 thru October 25, 2010 as prepared by James A. Downey, III, Solicitor.

Mr. Downey stated that he was asked to draft a contract for the Managing Director which has been completed. A resolution has also been compiled which states:

Whereas the Lower Bucks County Joint Municipal Authority has employed Janet A. Keyser as Managing Director of the Authority since June 18, 2003 and for some time prior thereto as Acting Director. Whereas the Lower Bucks County Joint Municipal Authority Board Directors is desirous of continuing to employ Janet A. Keyser as Managing Director and whereas Janet A. Keyser wishes to continue as Managing Director of the Lower Bucks County Joint Municipal Authority and now therefore in consideration of the above, the Board Directors of the Authority resolves as follows that the employment agreement attached to the resolution and made a part hereof has been approved by the Board at a public meeting resolved on the 25th day of October, 2007 and so attached.

Mr. Monahan stated that since 2003 he has heard many people come before the Board and thanked Mrs. Keyser for the good job she has performed.

Motion

Mr. Adams made a motion, seconded by Mr. Chase, to approve a three (3) year Extension Employment Agreement for Janet Keyser, Managing Director, effective October 25, 2007 thru October 25, 2010 as prepared and presented by James A. Downey, III, Solicitor.
Motion carried unanimously.

Mrs. Keyser thanked the Board Director's for the confidence the Board Director's have in her, for all of the support that has been given and how much she appreciates her job at this authority, and how grateful she is in working for the Authority.

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

Executive Session

At 8:03 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 8:54 P.M. with Mr. Downey stating during the executive session both personnel and litigation matters were discussed.

Mr. Downey is requesting a motion that there be a position created of Meter Department Supervisor and that the position of Work Leader in the Meter Reader Department remain at the same the rate and remain as a part of the Union which is represented by the United Auto Workers.

Motion

Mr. Chase made a motion, seconded by Mr. Adams, to create the position of Meter Department Supervisor and that the position of Work Leader in the Meter Reader Department remains at the same the rate and will be part of the Union which is represented by the United Auto Workers.
Motion carried unanimously.

Managing Director's Report

Water Plant Supervisor - Retirement

Mrs. Keyser reported that a memo was sent to the Board Directors advising that William Ottey, who has been a thirty five year or longer employee with the Authority, has made a very big decision in his life to retire from the Authority on January 4, 2008. Mr. Ottey stated that it was a very hard decision to make. Mrs. Keyser reported that Mr. Ottey's position was posted and has been awarded today to the present Assistant Superintendent, Vince Capaldi. Congratulations to both. The Assistant Superintendent's job will be posted after Mr. Capaldi and I have had a chance to review his job description for clarification purposes.

If there are any revisions, it will not be to the scope of the work or salary. Once this is completed Mrs. Keyser will meet with the Supervisory Union Representatives for review before it is posted. Although the Supervisor's position was awarded to Mr. Capaldi today, it will not become effective until the Assistant Superintendent is also chosen.

George Schultz – Bristol Oxford Valley Road

Mr. Schultz is the resident from Bristol Oxford Valley Road that has come before the Board Director many times trying to obtain a water connection in Middletown Township. Mrs. Keyser advised the Board that she has spoken with Mr. Smythe several weeks ago concerning this situation. Mr. Lucas a plumber was out to the property trying to help Mr. Schultz; however, I believe Mr. Schultz is back working with Kevin Glasson from McIntyre/Ben Franklin Plumbing. Unfortunately, there is still the cost factor that keeps Mr. Schultz from connecting into the Authority's water system. Some suggestions that were made would need to be Board approved. As you are aware Mr. Schultz's well has been dry for approximately three (3) years

Some of the suggestions that were brought up are for the Authority to waive the permit fee for Mr. Schultz due to the fact that at this time he is the only resident interested in tying into the Authority's water system. The Authority would waive the water only fee which is \$1773. As well a waiving the cost of the purchase of the meter which we sell to the residents at our cost along with the meter pit and anything else related to the installation of the meter. The Authority would also donate the fire hydrant.

Mr. Verduci asked why are we donating the fire hydrant, Mrs. Keyser responded that due to the situation. There have been instances in the past that the Authority has done this. Mr. Verduci wanted to know if the Authority would donate the pipe, he stated that he is not comfortable donating piping. Mrs. Keyser replied that the Authority would not be donating the piping. Mrs. Keyser informed the Board that she and Mr. Smythe calculated the cost of everything to be approximately \$3,000. to \$4,000. The Authority could have Mr. Downey draft an agreement stating that the Authority would waive the above for as long as Mr. Schultz was living in the home.

If and when he decides to sell his home then he would reimburse the Authority that money. Mr. Tosti added that the Authority is leining the property not waiving it permanently; it is being done this way in order to give some assistance to Mr. Schultz. We will eventually get out money back so I guess you could call it a temporary waiver.

Mr. Downey added that he has discussed the situation with Mrs. Keyser and Mr. Smythe and the only concern that they had was who was going to handle the piping. There was also some discussion how Middletown Township would be with this construction. It was felt that Middletown would work with the Authority.

Mr. Smythe other options that were discussed were extending this option of waiving the permit fees to the other residents. Inform them that this would be one time only if they went in with Mr. Schultz now. By the other residents doing this it would help keep the cost down. As Mr. Downey pointed out, we will not be setting prescient because the Authority is replacing the meters for everyone in Levittown.

Mr. Verduci asked what would happen when the other residents found out about this agreement. Mr. Smythe stated that if they did not go in when Mr. Schultz did then they would miss out on the opportunity to participate in this agreement and then would be required to pay the participation fee.

Mr. Downey feels that the Authority would need to offer this to Mr. Schultz and then notify his neighbors that this is what the Authority proposes to do and in order to get in on this program they would need to notify the Authority no later than November 30th. Mr. Downey offered to compose a notice to the residents involved.

Motion

Mr. Chase made a motion, seconded by Mr. Verduci, to have Mr. Downey 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 waive 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 the other residents 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.
Motion carried unanimously.

Acting Assistant to the Director's Report

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

Transfers:

- Jason Knight WTR 3-11 Operator to WTR Midnight Operator
- Walter Appleton WWTP Operator Midnight to Shift to WWTP Operator
Swing Shift
- Anthony Tarlini WWTP Utility to WWTP Operator Midnight Shift

Employees on Disability Leave

James Pirolli Wastewater Treatment Plant
 Donna Farris Administration
 L. MacSherry Field Maintenance
 Andrew Bashada Wastewater Treatment Plant

Employees on Workers' Compensation Leave

- Joseph Pollio Wastewater Treatment Plant

Director of Operation's Report

Dr. Rajput reported on the following items:

**Contract No. WWTP-269: Paving at the Wastewater Treatment Plant
 (Capital Project)**

This contract involved paving at the Wastewater Treatment Plant. Bids were received on October 16, 2007. A summary of the bid results is presented below.

Bidder	Total Bid Price
Bray Brothers, Inc. 16 Moon Drive Levittown, PA. 19054	\$73,008.25
Polaris Construction Company, Inc. 1795 Stout Drive Warminster, PA. 18974	\$74,100.00
GoreCon, Inc. 4095 Ferry Rd, Suite 1C Doylestown, PA. 18902	\$95,995.00
K. E. Seifert, Inc. 155 North Green Street Langhorne, PA. 19047	\$96,880.00

As can be seen from the above bid results, Bray Brothers, Inc. submitted the lowest total base bid. The lowest bid submittal has been reviewed and found to be accurate and meeting all bid requirements. It is recommended that Contract No. WWTP-269: Paving at the Wastewater Treatment Plant (Capital Project) is awarded to Bray Brothers, Inc. 16 Moon Drive, Levittown, PA. 19054 in the amount of their base bid amount of \$73,008.25

Motion

Mr. Adams made a motion, seconded by Mr. Chase, to award Contract No. WWTP-269: Paving at the Wastewater Treatment Plant (Capital Project) to Bray Brothers, Inc., 16 Moon Drive, Levittown, PA. 19054 in the amount of their base bid of \$73,008.25

Motion carried unanimously.

Contract No. WWTP-264: Replacement of Built-Up Roof System and Replacement of Prefabricated Metal Building Roof at the Wastewater Treatment Plant (Capital Project)

This contact involves rehabilitation/replacement of the existing digester building roof and replacement of prefabricated metal building (Centrifuge building) roof.

Bids were received on October 11, 2007 for the above stated contract. A summary of the bid results is presented below.

Bidder	Total Bid Price
Holtz & Henry, Inc. 35 N. Richardson Avenue Lansdale, PA 19446	\$136,300.00
D. A. Nolt, Inc. 53 Cross Keys Road Berlin, NJ 08009	\$316,738.00

As can be seen from the above bid results, Holtz & Henry, Inc. submitted the lowest total base bid. D&B/Guarino Engineers, LLC, the Authority's Consulting Engineer has reviewed the bids and has found it to be accurate and meeting all bid requirements. It is recommended that Contract No. WWTP-264: Replacement of Built-Up Roof System and Replacement of Prefabricated Metal Building Roof at the Wastewater Treatment Plant (Capital Project) be awarded to Holtz & Henry, Inc. 35 N. Richardson Avenue, Lansdale, PA 19446 in the amount of their base bid amount of \$136,300.00

Motion

Mr. Adams made a motion, seconded by Mr. Chase, to award Contract No. WWTP-264: Replacement of Built-Up Roof System and Replacement of Prefabricated Metal Building Roof at the Wastewater Treatment Plant (Capital Project) to Holtz & Henry, Inc. 35 N. Richardson Avenue, Lansdale, PA 19446 in the amount of their base bid of \$136,300.00

Motion carried unanimously.

Contract No. WWTP-272: Furnish/Deliver Rock Salt (Sodium Chloride) for the 2007-2008 Season (Bucks County Consortium Salt Bid)

The Authority participated with the Bucks County Consortium's salt bidding. Bids were opened on Wednesday, September 19, 2007 by the Bucks County Consortium for the purchase of Rock Salt for the 2007-2008 season. The results of the bid along with supporting documents were forwarded to the Authority for review and award consideration. Documents show that **Cargill, Incorporated-Deicing Technology Business Unit** submitted their bid proposal with the lowest unit bid of \$47.42 per ton (delivered). This bid price is higher than that of last year's bid price of \$44.03.

Based on review of the bid documents it is recommended awarding Contract No. WWTP-272: Furnish/Deliver Rock Salt (Sodium Chloride) for the 2007-2008 Season (Bucks County Consortium Salt Bid) to **Cargill, Incorporated -Deicing Technology Business Unit, 24950 Country Club Blvd., Suite 450 North Olmsted, OH 44070 for the unit bid price of \$47.42 per ton (delivered).**

Motion

Mr. Verduci made a motion, seconded by Mr. Monahan, to award Contract No. WWTP-272: Furnish/Deliver Rock Salt (Sodium Chloride) for the 2007-2008 Season (Bucks County Consortium Salt Bid) to Cargill, Incorporated Deicing Technology Business Unit, 24950 Country Club Blvd., Suite 450 North Olmsted, OH 44070 for the unit bid price of \$47.42 per ton (delivered). Motion carried unanimously.

Contract No. WWTP-260: Furnish/Install Cured-In-Place Sanitary Sewer Pipe Lining in Highland Park Area Wastewater Collection System (Capital Project)

This contract is progressing well. The Contractor has completed approximately 50% of the work. The total allocated money under our capital improvement budget was \$400,000.00. The total base bid amount for this contract is \$319,100.00. With Board approval we would like to utilize the remaining balance of approximately \$80,000.00 to line some of the sewer mains in other locations which we believe are in poor condition. The contractor is willing to hold the present contract unit bid price.

Mrs. Keyser stated that what Dr. Rajput is saying is not only going to help in the rehabilitation of the Authority's sewer lines but also meeting with our Insurance Representatives earlier in the week on the upcoming Insurance Renewals this subject came up. Performing these types of projects is going to help decrease insurance premiums.

Mr. Chase stated that the bid was approximately \$320,000. You are asking to use the remaining \$80,000 from the \$400,000 but we have already approved \$39,000 in extra. Dr. Rajput explained that that money was not really being used from this contract.

That was an emergency. We were using a different approach and we found that this approach was more feasible so we used that money otherwise it would have been \$80,000. Mrs. Keyser added that it would have been \$80,000 without the extra \$40,000 for the change order.

What Mr. Chase is saying is correct. The \$40,000 is a change order to the contract so that amount does need to be added into the contract price. Dr. Rajput is asking if we could still use the \$80,000 even though that is not the total balance, it is really more than that. He is asking if he could have an additional \$80,000 to continue this project while the weather is still good, then we will pick up into the spring with Phase II of this project.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the additional monies in the amount of \$80,000 in order to continue with the above mentioned project while the weather is still good.

Motion carried unanimously.

NPDES Permit for the Wastewater Treatment Plant

The Authority has received the NPDES Permit form PADEP for the Wastewater Treatment Plant, effective date October 1, 2007 through September 30, 2010. At the Authority's request, PADEP conducted their comprehensive review and evaluation and addressed the Authority's concern pertaining to BOD5. BOD5 monitoring requirements and discharge limits have been replaced with CBOD5. The permit also allows the Authority to use a conversion factor to convert CBOD5 to BOD5 to compute percent removal instead of sampling and analyzing BOD5. Based on the Plant performance and analytical data submitted to PADEP, the requirements for monitoring certain metals have been deleted. As per the requirements of DRBC, biannual monitoring of total PCBs has been included in the permit.

Mrs. Keyser stated that there is quite a bit of red tape involved in this NPDES Permit and it takes forever to receive it. Mrs. Keyser wanted to thank Dr. Rajput for all of the time and work he put into obtaining this permit for the Authority.

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

Supervisors Reports

- | | |
|---------------------------------------|----------------------------|
| • Bill Ottey, Superintendent | Water Treatment Plant |
| • Vince Capaldi, Asst. Superintendent | Water Treatment Plant |
| • Gary Tosti, Plant Manager | Wastewater Treatment Plant |
| • Phil Smythe (no written report) | Field Technician |

Mrs. Keyser asked that the Board read the Supervisor's reports in order to keep them up to date on current projects.

Old Business

There was no old business brought before the Board.

New Business

November Board Meeting

Mrs. Keyser asked the Board Directors if they would like to reschedule their November meeting since it is scheduled for Wednesday November 21st, which is the day before Thanksgiving and reschedule it for Wednesday, November 28th.

Motion

Mr. Chase made a motion, seconded by Mr. Verduci, to reschedule the November Board Directors meeting from Wednesday, November 21st, which is the day before Thanksgiving, to the following Wednesday, November 28th.
Motion carried unanimously.

Motion

Mr. Chase made a motion, seconded by Mr. Verduci to re-schedule the November Board Directors meeting from Wednesday November 21st which is the day before Thanksgiving to the following Wednesday November 28th.
Motion carried unanimously.

Public Participation

Mrs. Wallover stated that the Pretreatment Resolution needs to be advertised and hopefully depending on the Bucks County Courier Times we can get the public notice for this Resolution. Thirty days would be November 28th and assuming that you sent it on this Friday, it would go in on Monday. Mrs. Keyser asked Mrs. Wallover to meet with Mrs. Magro to make sure she has all the information needed to place the advertisement.

Adjournment of Board Meeting

Mr. Verduci made a motion, seconded by Mr. Adams, to adjourn the Board meeting at 9:30 P.M.
Motion carried unanimously.

Respectfully Submitted by:

James Chase, Secretary

DM/