

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY  
BOARD MEETING MINUTES  
April 18, 2007**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Wednesday, April 18, 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 troops over seas.

**Roll Call**

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

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

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

**Public Participation**

At this time no one in the audience wished to address the Board.

**Approval - Payment of Accounts Payable - April 2007  
Motion**

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the Accounts Payable for April, 2007 as presented.  
Motion carried unanimously.

**Question/Comment**

Mr. Verduci questioned the following two (2) invoices for Vehicle S-5:

1. Morrell Tractor Sales  
Invoice 15285  
\$423.30  
Replace all belts on Vehicle S-5
  
- 2 Morrell Tractor Sales  
Invoice 15275  
\$877.75  
6-month inspection/service Vehicle S-5

Mrs. Keyser stated that it was maintenance on the Jet Truck.

**Approval - Board Meeting Minutes – March 21, 2007  
Motion**

Mr. Adams made a motion, seconded by Mr. Czyzyk, to approve the Board meeting minutes of March 21, 2007 as presented.

**Roll call on the Motion**

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

Motion carried 4-Aye votes 1 Abstention.

**Solicitor's Report**

Mr. Downey stated that six years ago Mrs. Keyser, the late August Baur, and himself commenced the process where the Authority would exchange real estate with Middletown Township and would get land from an agency known as Vornado Realty Trust, which owns the land around where our Levitz tank is located. The Authority would get additional land. With Mr. Baur and Mrs. Keyser's leadership, we managed to get an agreement with Middletown Township where we would exchange a lot on Cardinal Road for land of theirs located where the water tank is now. The process required that deeds, drawings, and Mylar's be prepared, which they have been, and have sat in Mr. Downey's office for six (6) years. It was agreed that Mr. Downey would forward the documents to Middletown Township, which they were, and it took Middletown Township a year to get them out of their Manager's office to get signed. They were signed and sent to Vornado Realty Trust in North Jersey who promptly lost them. Mr. Downey secured a second set of Mylar's with Dr. Rajput's assistance.

A new person was contacted at Vornado and the documents were sent to them for signature and return. Mr. Downey then hand delivered them to Middletown Township where they remained in the Managers office for another 2 ½ years. They had for some reason either failed or refused to sign them.

Two weeks ago Mr. Downey received a call from the Solicitor of Middletown Township who with the assistance of the Manager politely demanded that the deed for Cardinal Road be delivered. Mr. Downey promptly and absolutely refused to do this until the Mylar's were signed. Mr. Downey was then asked where the Mylar's were with Mr. Downey responding that they have been in the Manager's office for a couple of years. Last week Middletown Township finally signed and notarized the Mylar's and they were delivered to Mr. Downey. He will see that they are delivered to the Bucks County Planning Commission (hopefully signed) where he will file them. After this has been complete Mr. Downey stated he would release the deeds from their capture where they have been for half a decade at which point the Authority will officially own the land.

### **Executive Session**

At 7:06 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 8:08 P.M. Mr. Downey stated that during the executive session litigation and personnel matters were discussed. Mr. Downey further stated as a result of the discussion, a motion is needed to terminate employee #178 for inability to complete the employment probationary period.

### **Motion**

Mr. Verduci made a motion, seconded by Mr. Chase, to terminate employee #178 for inability to complete the employment probationary period.

### **Roll Call on the Motion**

Mr. Verduci	Aye
Mr. Adams	Aye
Mr. Chase	Aye
Mr. Czyzyk	Nay
Mr. Monahan	Aye

Motion carried: 4 Aye votes – 1 Nay vote.

Based on the information discussed during executive session regarding personnel matters, a motion is needed to terminate employee #144 for violations of the Laws of the Commonwealth, violations of the Clean Streams Law, violations of DEP Regulations, violations of the Standard Operating Procedures, and violations of the Federal Risk Management Plan.

**Motion**

Mr. Chase made a motion, seconded by Mr. Monahan, to terminate employee #144 for violations of the Laws of the Commonwealth, violations of the Clean Streams Law, violations of DEP Regulations, violations of the Standard Operating Procedures, and violations of the Federal Risk Management Plan. Motion carried unanimously.

**Managing Director's Report**

Mrs. Keyser stated the Board should have a copy of the revised 2007 Budget. The Budget was originally based on a 5% increase; however, the Board approved a 4% increase.

Mr. Verduci inquired about the Capital Budget. Mrs. Keyser responded that the Management Staff is working on it and it should be ready for review by the June 20<sup>th</sup> meeting.

**Question/Comment on the Budget**

Mr. Chase stated that he is taking one of Dr. Rajput's classes and there was a conversation pertaining to micro filtration. This is a means of ultra cleaning the water so to speak. Regulations are constantly changing. Mr. Chase stated approximately three (3) years ago while he was still Superintendent at the Water Filtration Plant the DEP came to the plant and ran extensive testing. In doing so they found that there were no problems, we met and exceeded all regulations, however, the regulations are changing and we are not meeting the new regulations that are being implemented, it is called particle counting. The turbidity or particles in the water are so minute, that's going to be the new regulation. In addition, when there is a problem with the river there are colotil particles; they are particles that will not settle. The plant has experienced problems in the past with this and it takes considerable time and manpower to handle this.

Mr. Chase stated that he feels this is very important for our future and suggested that that Dr. Rajput research this process and come back to the Board with his findings. Possibly in the future monies could be set aside to institute this program.

**Acting Assistant to the Director's Report**

Mrs. Marterella stated that her report may be read at the convenience of the Board.

**Director of Operation's Report**

Dr. Rajput reported on the following items.

**Contract No. WTP-262: Furnish and Supply Ferric Chloride for Lower Bucks County Joint Municipal Authority's Water Treatment Plant**

Bid proposals were received on April 16, 2007 for the above referenced Contract. Based on review of the bid proposals and qualifications, it is recommended awarding Contract No. WTP-262: Furnish and Supply Ferric Chloride for LBCJMA Water Treatment Plant with a unit price of \$21.45 per CWT, or \$0.2145 per dry pound of ferric chloride to Kemira Water Solution, Inc., with the condition of submitting all required executed contract documents and required bonds. The duration of this contract is two (2) years from the effective starting date of the contract.

Bidder /Contractor	Bid Amount
<b>Kemira Water Solutions, Inc.</b> 3211 Clinton Pkwy Ct. Lawrence, KS 66047 800-879-6353, Fax: 785-842-2629	<b>\$0.2145 / lb or \$21.45 / cwt dry</b>
<b>Coyne Chemical</b> 3015 State Road Croydon, PA 19021 215-785-3000, Fax: 215-785-1585	<b>\$0.2220 / lb or \$22.20 / cwt dry</b>

**Motion**

Mr. Verduci made a motion, seconded by Mr. Adams, to award Contract No. WTP-262: Furnish and Supply Ferric Chloride for LBCJMA Water Treatment Plant to Kemira Water Solution, Inc., with a unit price of \$21.45 per CWT, or \$0.2145 per dry pound of ferric chloride to Kemira Water Solution, Inc., with the condition of submitting all required executed contract documents and required bonds.  
Motion carried unanimously.

**Contract No. WWTP-265: Furnish and Supply #2 Heating Oil, Propane & Off Road High Sulfur Diesel Fuel (Bucks County Consortium).**

Dr. Rajput reported that the Authority has again participated in the Bucks County Consortium's fuel bidding. The Bucks County Consortium opened bids for the purchase of various fuels on March 30, 2007. The bids are only for those fuels which the vendor has on-site fuel storage tanks. The Authority has storage for #2 heating, propane, and off-road high-sulfur diesel. Heating oil is used at the Administration office and filter press building at the Water Treatment Plant.

Propane is used at the Wastewater Treatment Plant. Off-road high-sulfur diesel is used for the emergency power generators at both the Water Filtration and Wastewater Plants, Highland Park Water Pump Station, and the four (4) sewage pump stations; Kenwood, Art Carney, River Side and Laurel Bend.

Based on review of the bid results it is recommended awarding the contract portion for the supply of #2 heating oil and off road-high sulfur diesel to Petroleum Traders, 7120 Pointe Inverness Way, Fort Wayne, IN.

It is also recommended that the portion of the contract for the supply of propane be awarded to Farm and Home Oil Co., 3115 State Road, Croydon, Pa. for a period beginning May 1, 2007 and ending April 30, 2008, as per the specifications and General Conditions contained in the bid documents of the Bucks County Consortium.

### **Motion**

Mr. Chase made a motion, seconded by Mr. Verduci, to award the contract portion for the supply of #2 heating oil and off road-high sulfur diesel to Petroleum Traders, 7120 Pointe Inverness Way, Fort Wayne, IN. And the portion of the contract for the supply of propane to be awarded to Farm and Home Oil Co., 3115 State Road, Croydon, PA. for a period beginning May 1, 2007 and ending April 30, 2008 as per the specifications and General Conditions contained in the bid documents of the Bucks County Consortium. Motion carried unanimously.

The remainder of Dr. Rajput's report is for informational purposes and can be read at the Board's leisure.

### **Supervisor's Monthly Reports**

Mrs. Keyser informed the Board that their packets contained the monthly reports from Mr. Ottey, Superintendent, WFP, and Mr. Tosti, Plant Manager, WWTP.

### **Old Business**

Mr. Czyzyk stated that with the excessive rain we had this past weekend we are most likely getting a lot of rainwater from the Riverside Complex. This water runs off the building, goes into the Authority's manhole and they are not being metered for or paying for this. Mr. Czyzyk would like to know if anything is being done to correct this situation.

Mr. Smythe, Field Technician, responded that he sent a letter to them the end of January 2007 or the beginning of February 2007, giving them until the end of February 2007 to identify and correct the problems. A copy of the letter was also sent to the DEP. Mr. Smythe was notified that Riverside has hired a contractor to make the required corrections.

Mr. Smythe further stated that he got an admission from Silvi that they did indeed find 90 some industrial roof drains. They are not exactly sure how it is tied in and it is not their doing. I believe it was done back in the 30's when the building was put up, they had their own treatment system, and the Authority did not exist.

When the Tullytown sewer system was installed in the mid to late 60's there was a deal made with Patterson Parchment to utilize that existing pumping station and to pump all the sewage from Tullytown directly over to our Wastewater plant. Up to that point Patterson had their own lagoon base and they had their own treatment system. I have seen an old set of plans from the 30's and I seem to remember some kind of weird interconnection out in that parking lot. I have been talking to the site Manager about this and encouraging him to look for that rather than them spending all this money to disconnect the roof drains and the problem still exists. We could have a tidal problem with the river, we do not know. Our position is, this is not the Authority's problem it is theirs. The good thing is they have their own lateral that goes directly into the pumping station so when it rains it comes in full bore. When it is not raining there is hardly anything coming out of it.

Mr. Czyzyk asked if we meter it when it comes in full bore like this weekend. Mr. Smythe responded no, we cannot meter it. Mr. Czyzyk asked if an adjusted bill could be sent, bill them for something. Mr. Smythe responded that we are trying to get them to stop it. Mr. Czyzyk stated that was January, this is April, we had a load of water come in the other day that we treated and we're not getting anything for it. It might take them another year or longer before they try and develop a plan. Mr. Smythe stated that we are trying to be reasonable with them but we also have to use an iron fist. Mr. Czyzyk asked if there was a target date when they should be up to speed on this. Mr. Smythe responded ASAP and that he would like to have this resolved by next month. Mr. Czyzyk asked if this was not done could we put a temporary meter in there. Mr. Smythe responded that he informed them if they are not making significant progress, and keeping the Authority constantly informed, we will plug their line and shut them down.

Mr. Downey added that he has asked Mr. Smythe to keep a paper trail, which he has done religiously and faithfully. He literally has his heel on their neck. Mr. Downey stated as well as Mrs. Keyser that they (Riverside) have to respond by the end of May or we will plug their line. They will not be allowed to drag this on any further. We are handling this aggressively.

**New Business - Acknowledgement**

Mr. Monahan took this time to thank Gary Tosti, as well as all the employees, for all the work they did on Sunday during the rainstorm. All employees did a great job!

Mrs. Keyser stated that the employees were out 24/7 for three (3) to four (4) nights and days. The employees at both plants worked very hard and should all be commended.

**Manhole Cover - Yellowwood**

Mr. Czyzyk asked Mr. Tosti if he knew anything about a manhole cover that blew off in the Yellowwood and water and raw sewage was going into the Black Ditch Creek. Mr. Tosti replied that it was storm water. Mrs. Keyser added that it was all storm water; there was no raw sewage. Mr. Czyzyk asked if the Authority needs to notify the DEP. Mrs. Keyser responded no, the Board of Health was notified.

Mr. Monahan asked Mr. Tosti if that happens after heavy storms or rains. Mr. Tosti replied that in our service area there are approximately nine (9) locations we have that problem with. Mrs. Keyser added that this was happening all over the State.

**Consulting Engineer Report**

Mr. Czyzyk stated that Mr. Monahan and himself met with Bob Serpenti, Consulting Engineer, regarding the chlorine situation at the Wastewater Plant.

Mr. Serpenti replied that he examined the way the plant uses gaseous chlorine in one (1) ton cylinders to disinfect the wastewater to provide a kill for the bacteria before it goes into the river. Chlorine gas, as we know, is used as a destructive force in the war that the terrorists use to kill people. It is a dangerous gas and should be handled very carefully. There are some methods of disinfecting that use chlorine bleach or ultra violet light which could eliminate the ton cylinders from the plant making it safer for plant personnel as well as the community. We also looked at the Bristol Township plant. They also use chlorine gas. There are some different handling methods but it is still dangerous. You have to be very cautious when handling chlorine gas. Mr. Czyzyk asked Mr. Monahan what he wanted to do about this. Mr. Monahan responded that he has been in contact with Dr. Rajput and they will look into it. Dr. Rajput responded that we will have to evaluate the alternatives that are available, and then we will come back and present those options to the Board. Dr. Rajput stated that he has been researching for the past four (4) years the possibility of utilizing ultra violet disinfection, but it takes time to research and develop an alternative that would be safe and cost effective.



**Employee Acknowledgements**

Mr. Tosti stated that he wanted to take this time to compliment his secretarial staff, the pretreatment and also Phil Smythe and Dr. Rajput. The three (3) days during the rainstorm were very hectic and the secretaries did an outstanding job in handling the phone calls.

Mr. Chase added that from his experience over the years when there were emergencies, all employees in the Authority pitch in and do a fantastic job, it is a true team!

**Board Member Acknowledgement**

Mr. Adams stated that he thought Mr. Armstrong was supposed to be at the meeting this evening. Mr. Adams asked that a letter be sent to him requesting that he come to the May Board meeting.

**Public Participation**

Mr. Scott Nicodemus of 29 Tanglewood Lane addressed the Board. Mr. Nicodemus stated that he is on disability and with all the other bills he pays and since he uses well below the minimum of 10,000 gals. he is asking if his bill could be reduced.

Mr. Czyzyk asked Mrs. Keyser what the policy was. Mrs. Keyser responded that she will contact Mr. Nicodemus and explain the Authority's policy on the water and sewer billing.

**Adjournment of Board Meeting**

Mr. Czyzyk made a motion, seconded by Mr. Adams, to adjourn the Board meeting at 8:30 P.M.  
Motion carried unanimously.

Respectfully Submitted by:

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James Chase, Secretary