

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
April 22, 2010**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Thursday, April 22, 2010 at the Authority's Administration office located at 7811 New Falls Road, Levittown, Pennsylvania, 19055.

Call to Order

Mr. Chase, 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
 John Monahan
 Edward Czyzyk

Also Present: Vijay Rajput, Managing Director
 Pat Koszarek, Finance Director
 Gary Tosti, Plant Manager
 Phil Smythe, Field Technician
 Vince Capaldi, Superintendent, WTP
 Nancy Burnell, Supervisor, Meter Department
 James A. Downey III, Esquire
 Robert Serpenti, Consulting Engineer

Public Participation

At this time there was no one in the public who wished to address the Board.

Approval - Payment of April 2010 Accounts Payable as Presented to the Board of Directors

Questions/Comments

Mr. Verduci questioned the following invoice:

1. Pyrz Water Supply Co., Inc.
 Invoice No. 29974
 LMI Pump Replacement Fluoride
 \$915.00

It was explained that this is pump replacement fluoride. Mr. Chase added that they also sell pumps and controllers, etc.

Motion

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

Approval of the March 25, 2010 Minutes as Presented to the Board of Directors

Motion

Mrs. DeRosier made a motion, seconded by Mr. Armstrong, to approve the March 25, 2010 minutes as presented to the Board Directors.

Roll Call on the Motion

Mr. Czyzyk	Abstain as he was not present at the March 25 th Board meeting.
Mr. Chase	Aye
Mr. Armstrong	Aye
Mr. Verduci	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye

Motion passed 5 Aye votes – 1 Abstention

Pretreatment Variances

Mrs. Wallover reported that the following establishments were scheduled to attend tonight's meeting, however, there is no one here to represent them.

1. Tony's King of Pizza – 149 S. Woodbourne Road Langhorne. Permit F006-2008 09/21/2008 – 09/20/2009 – Mr. Bono, Owner
2. Gilligan's Sports Bar – 7759 New Falls Road, Levittown – Permit F099-2009 06/16/2009 – 06/15/2010 – Mr. Sica, Owner
3. Savor Saigon Restaurant – 1150 Oxford Valley Road, Levittown – Permit F162-2009 – 03/24/2009 – 03/23/2010 Mr. Tu, Owner

Mr. Verduci stated that test results were received from Tony's King of Pizza and asked Mrs. Wallover what those results were. Mrs. Wallover responded that they passed. Mrs. Wallover added that letters are sent out certified as well as first class to all the establishments. Savor Saigon did receive the letter; Gilligan's Sports Bar just ignores them.

After further discussion by the Board of Directors regarding the fact that none of the above owners showed up for tonight's Board meeting, the following motion was made.

Motion – Tony's King of Pizza

Mr. Armstrong made a motion, seconded by Mr. Monahan, to table any action until the May 27th Board meeting. If Mr. Bono, owner of Tony's King of Pizza, is not in attendance, then the Board is instructing Mrs. Wallover to proceed with Administration action. Motion carried unanimously.

Motion – Gilligan's Sports Bar

Mr. Armstrong made a motion, seconded by Mr. Czyzyk, to proceed with termination of service for Gilligan's Sports Bar. Motion carried unanimously.

Questions/Comments

Mr. Downey asked Mrs. Wallover to state for the minutes that proper notification has been sent to Gilligan's Sports Bar.

Mrs. Wallover stated that Gilligan's Sports Bar was sent first class mail as well as certified mail. The certified mail has yet to come back and the first class mail has not been returned. Mrs. Wallover added that Savor Saigon Restaurant's letters were sent the same way, however, they did sign for the certified mail.

Savor Saigon Restaurant

Mr. Armstrong asked Mrs. Wallover if there was anything that the Board should be informed of regarding this restaurant. Mrs. Wallover responded that the certified mail was signed for but essentially, they failed the samples.

*At this time Mr. Tu of Savor Saigon entered the meeting.

Mr. Tu stated that he was before the Board because he failed the required testing.

After some discussion the following motion was made.

Motion

Mr. Verduci made a motion, seconded by Mr. Armstrong, to have Mr. Tu, owner of Savor Saigon Restaurant, return to the May 27th Board meeting with updated test results for Oil & Grease. Motion carried unanimously.

Managing Director's Report

Dr. Rajput reported on the following items:

Contract WWTP 305 - Furnish and Supply Crushed Stone Aggregate to Lower Bucks County Joint Municipal Authority (Bucks County Consortium of Municipalities)

Bids were opened March, 2010 by the Bucks County Consortium for the purchase of crushed stone aggregate, asphalt paving materials, and associated highway products. Based on review of the bid results, it is recommended awarding contract No. WWTP 305 to Eureka Stone, Inc., beginning April 1, 2010 to March 31, 2011 as per the specifications and general conditions contained in the bid documents. The current prices for 2A ¾ stone and 2B ¾ stone is \$10.00 per ton/delivered and \$13.25 per ton delivered, respectively.

Motion

Mr. Armstrong made a motion, seconded by Mr. Monahan, to award Contract WWTP 305 - Furnish and Supply Crushed Stone Aggregate to Lower Bucks County Joint Municipal Authority (Bucks County Consortium of Municipalities) to Eureka Stone, Inc., beginning April 1, 2010 and ending March 31, 2011 as per the specifications and general conditions contained in the bid documents.

Motion carried unanimously.

Contract WWTP 306 - Furnish and Supply #2 Heating Oil, Propane & Off Road Low Sulfur Diesel Fuel (Bucks County Consortium)

Bids were opened March, 2010 (PENNBID) by the Bucks County Consortium for the purchase of various fuels. Based on review of the bid results it is recommended awarding Contract WWTP 306-Furnish and Supply #2 Heating Oil, Propane & Off Road Low Sulfur Diesel Fuel (Bucks County Consortium) to Farm & Home Oil Company beginning May 1, 2010 and ending April 30, 2011, as per the specifications and general conditions contained in the bid documents of Bucks County Consortium Gasoline, Diesel, Propane and Heating Oil Bids.

Motion

Mr. Armstrong made a motion, seconded by Mr. Verduci, to award Contract WWTP 306 - Furnish and Supply #2 Heating Oil, Propane & off Road Low Sulfur Diesel Fuel (Bucks County Consortium) to Farm & Home Oil Company beginning May 1, 2010 and ending April 30, 2011, as per the specifications and general conditions contained in the bid documents.

Motion carried unanimously.

Public Notification Rule – Direct Delivery Notification Requirements

On April 16th and April 19th, 2010 Dr. Rajput along with Vince Capaldi, Superintendent, met with Ms. Susanne Dudek, a Bucks County Emergency Management Specialist, regarding direct delivery of public notices to each service connection as per the requirements of the PADEP Public Notification Rule for Tier 1 violation. Our service area is already in the Bucks County Emergency System. This will enable them to deliver public notices such as a water advisory as required by the above PADEP regulations to all of the Authority's customers. There is no cost to the Authority for participating in the program. It is recommended that the Authority participate in the Bucks County Emergency Management Program for Public Notification.

Motion

Mr. Czyzyk made a motion, seconded by Mr. Armstrong, giving permission to Dr. Rajput to have the Authority participate in the Bucks County Emergency Management Program for Public Notification to comply with the PADEP Public Notification requirements with no cost to the Authority.
Motion carried unanimously.

Purchase of Jet Truck

Dr. Rajput updated the Board on the status of the jet truck and reported that at last month's meeting the Board approved the purchase of a new jet truck in the amount of \$223,142.98. After reviewing documents pertaining to the purchase of the jet truck it was found that there is an additional \$6,000 cost.

Gary Tosti explained that a digital camera was purchased for the jet truck that tells how far the hose is in the manhole and that we do not have that capability right now. At the present time both trucks have manual cameras that break frequently. The other purchase is the extended warranty on the truck portion that covers the engine and transmission for 81,000 hours. They calculate by hours not miles. The original cost was over \$6,000; however, the vendor came down in price to \$3,600. Mr. Tosti feels it would be a wise decision to obtain this for the jet truck as it is a big expense item. The jet truck is scheduled for delivery during the month of July 2010.

Motion

Mr. Armstrong made a motion, seconded by Mr. Czyzyk, to allow change orders for the new Jet-Vac Truck that are not to exceed \$6,500.
Motion carried unanimously.

Automotive Services

Dr. Rajput stated that each year the Board Directors makes a motion to switch where the Water Filtration Plant and Wastewater Treatment Plants take their vehicles for service. At the present time the Water Filtration Plant is taking their vehicles to Suder's Automotive and the Wastewater Treatment Plant is taking their vehicles to Robert's Automotive in Tullytown.

Motion

Mr. Monahan made a motion, seconded by Mr. Czyzyk, to switch where the Water and Wastewater takes their vehicles for service. The Water Filtration Plant will now take their vehicles needing repairs to Robert's Auto and the Wastewater Treatment Plant will take their vehicles needing repairs to Suder's Automotive effective May 1st. Motion carried unanimously.

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

Dr. Rajput reported that the Authority has received a draft copy of the Agreement. Mr. Downey has completed his preliminary review. Currently, we are waiting for the Authority's Charter Renewal as it is a requirement to enter into a long term agreement with Bucks County Water and Sewer authority. Once the Authority receives the required approval from Bristol Township and Tullytown Borough regarding the Authority's Charter Renewal, Mr. Downey will submit the Agreement.

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

Public Participation

At this time, Kathryn Goodnick of 126 Gable Hill Road addressed the Board. Ms. Goodnick stated that she is concerned about the increase in her water and sewer billing. Mr. Czyzyk responded that there have been several rate increases over the past several years. Ms. Goodnick stated that she is having a difficult time paying her bills even though she is only paying the minimum charge. Since Ms. Goodnick lives in Bristol Township, Mr. Czyzyk asked if Mr. Monahan would be able to connect her to Tony Melio's to see if they could assist Ms. Goodnick in receiving some form of funding assistance for heating oil, tec. Mr. Monahan responded that he has already spoken with Ms. Goodnick regarding this issue.

Mr. Verduci added that the reason the Authority needs to implement a rate increase is due to the Authority's increasing costs and we need to keep the Authority running. The Board does not like raising the rates. Mr. Chase added that the Board should have raised it more than we did because there is a lot of work that needs to be done that we are putting off or only doing a portion of the job as we can afford it. We have tried obtaining federal money from several different agencies but they say our rates are too low; therefore, we do not qualify for federal money.

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

Executive Session

At 7:45 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 8:27 P.M. Mr. Downey stated that during the executive session, pending litigation and personnel matters were discussed.

Mr. Downey requested a motion from the Board Directors that Dr. Rajput be authorized to offer a raise (increase in salary) to two (2) employees within the parameters set by Dr. Rajput. Those employees, in addition to the salary increase will receive additional duties. If this proposal is accepted it will resolve an outstanding American Arbitration Association Grievance.

Questions/Comments

Laureen Marterella, an employee of the Authority addressed the Board. Mrs. Marterella asked what unit is this pertaining to. Mr. Downey replied clerical. Mrs. Marterella then asked if the jobs were being posted. Mr. Downey replied no. Mrs. Marterella stated that it is part of and states in the clerical contract that these two (2) jobs/positions should be posted. Mr. Downey stated that this is merely a proposal. If it is made, it would have to be accepted by the United Auto Workers and then they would have to deal with that issue. Mrs. Marterella stated to clarify Mr. Downey's response; so you are saying this is just the first step. Mr. Downey replies yes, there's been no resolution. If the proposal is approved by the Board it would not be a final resolution. It would then be in the hands of the UAW. Mrs. Marterella asked if there are any job descriptions that have been put together for these two (2) positions, since you stated a raise in salary. Mr. Downey clarified a raise with additional duties, and the job descriptions to be redone by Dr. Rajput. Mrs. Marterella asked then it would go back to the Union and then from there the two (2) jobs will be posted. Dr. Rajput and Mr. Downey both replied that it would be up to the Union to post the jobs. Mr. Chase added that we make a proposal to the Union and then the Union either accepts or rejects it. Mrs. Marterella asked what two (2) positions this is pertaining to. Mr. Downey replied that just two (2) clerical positions. Mrs. Marterella asked if the positions will still have the Clerical term and further asked if you are changing the name of the position for the clerks. Mr. Downey replied that it would be part of the negotiations that Dr. Rajput would create new duties whether he changes the title or not is up to him. And he in turn would make the proposal to the UAW. Dr. Rajput added that if they accept it then it would be up to them and that it is you're Union and you would sit down and discuss it with your unit. Mr. Downey stated that if this notion is approved by the Board it is merely a first step in the process of resolving an outstanding grievance. It would not necessarily resolve the grievance. Mrs. Marterella stated that this is how you are fixing it, with these proposed positions you have formed because the original grievance was originally going before the Arbitrator,, this is how you're fixing it? Mr. Chase replied no. The two (2) positions are being changed because of a request by Dr. Rajput before he was hired as Manager; it was one of the things in a program he laid out for us.

Debbie Barnes, employee of the Authority asked if this has resolved the arbitration hearing. Mr. Chase responded as part of that we want to authorize Dr. Rajput to also try and negotiate a settlement for the outstanding grievance. Mrs. Marterella asked if it was the first grievance that was supposed to go to arbitration.

Mr. Downey responded that it was the only one. Mrs. Marterella then asked that by changing these two (2) positions, by creating an increase in salary/a raise, that's how you're trying to fix the original grievance? Dr. Rajput replied there are two (2) things; first, is that he is going to revise the job descriptions for the two (2) positions, and at the same time make a proposal that by adding those duties, because I need the help, that's the way I see it. Dr. Rajput further stated that he will present the proposals to settle the grievance and that he will also include a part of that then it is up to the union to accept or reject it. If the union accepts it, then that will go into the proposal. Mrs. Marterella asked Dr. Rajput if he had set individuals in mind. Dr. Rajput replied yes. Mrs. Marterella inquired if she was able to ask who the two (2) individuals were. Dr. Rajput replied the Secretary to the Director of Operations and the other is one clerk. Mrs. Marterella asked are they the two (2) people who are the clerical unit's Union Chairperson and Union Shop Steward. Dr. Rajput replied they are the ones that signed the grievance. Mr. Downey added that he doesn't know whether they are or they are not and that they signed the grievance, I don't know whether they are that status. Mrs. Marterella confirmed that it is their status.

Motion

Mr. Czyzyk made a motion, seconded by Mr. Verduci, to authorize Dr. Rajput to offer a raise to two (2) clerical employees within the parameters set by Dr. Rajput. Those employees, in addition to a salary increase will receive additional duties. If this proposal is accepted it will resolve an outstanding American Arbitration Association Grievance.

Roll Call on the Motion

Mr. Czyzyk	Aye
Mr. Chase	Aye
Mr. Armstrong	Abstain (Mr. Armstrong stated he has a family member in that bargaining unit)
Mr. Verduci	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Nay

Motion carried - 4 Aye votes – 1 Nay vote 1 Abstention

Finance Director's Report

Ms. Koszarek reported on the following:

- Revenue Account Balance \$6,150,438.25
- Penn Vest Account Balance: 714,043.49

Ms. Koszarek is requesting a pay off figure for the Penn Vest Loan.

The remainder of Ms. Koszarek's report is for the Board's review.

Savings

Mr. Czyzyk stated that several months ago he asked Ms. Koszarek if she could find ways to save money. Mr. Czyzyk asked if she has come up with any ideas. Ms. Koszarek replied that she has been reviewing several things. Mr. Czyzyk asked Ms. Koszarek to prepare something on a monthly basis. Mr. Czyzyk asked that each supervisor pass along to Ms. Koszarek any savings that they come up with and she can include that in her report.

Mr. Verduci asked Ms. Koszarek to explain the savings regarding Waste Management. Ms. Koszarek responded that due to the containers being large and how often they were picked up, that with changing some things around we were able to save over \$2,000/month.

Disability/Workers' Compensation

Mr. Verduci questioned the number of employees that are currently out on Disability or Workers' Compensation and questioned if the Authority can function without the seven (7) employees, people that are currently out of work? Ms. Koszarek stated that it does affect many of the Authority's operations, with Dr. Rajput stating that the Authority is managing. Mr. Armstrong stated that he was under the impression that the Board already authorized the privatizing of the Authority's disability insurance rather than being self-insured because then they can chase down the employees. Ms. Koszarek replied that we were looking into that when Dr. Rajput come on board. Mrs. DeRosier asked if an employee could be brought back on light duty. Ms. Koszarek replied that the Authority does have a Light Duty Policy. Mrs. Burnell, Meter Department Supervisor, added that the employee's doctor or the Authority's workers comp doctor, would have to stipulate and approve the employee coming back to work.

Administration/Supervisor's Reports

The administration/supervisor'/technical employee'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

Mr. Capaldi, Superintendent, WTP stated that when the Water Plant disposes of their scrap metal which is mostly two (2) components; iron and brass, that he tries to wait until the prices are up in order to get the higher refund in return. For example, we just received \$1,800 for scrap metal that was turned in.

Gary Tosti informed the Board that Ron Celia, Dick Johnson and Anthony Tarlini recently lost family members. Mr. Tosti asked that they be kept in everyone's prayers. Mr. Tosti stated that he does not know if it is typical but it would be a nice gesture for the Authority to send sympathy cards to employees who lose family members. Mr. Chase asked Ms. Koszarek to handle this. Ms. Koszarek replied that she will have Debbie Magro take care of it.

Old Business

Energy Savings

Mr. Armstrong stated that he was to meet with someone this week from Bucks County Transportation to get something set up for compressed natural gas vehicles. Unfortunately, something came with the person he was to meet with. Mr. Armstrong is hoping to meet with him sometime next week and then have something arranged so the Authority can have a seminar concerning compressed natural gas vehicles.

New Business

Mr. Chase stated that he was talking to Mr. Armstrong prior to the meeting and saw that Tullytown Council is considering using ipads for council meeting. I think it is an excellent idea. Everything could be sent via email, everything would be right there, there would be no missed or miss placed copies Mr. Chase stated he feels it would be something worthwhile to look into for the Authority's Board Directors. Mr. Armstrong offered to look into it and report back to the Board.

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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 8:53 P.M.
Motion carried unanimously.

Respectfully Submitted by:

Susan DeRosier, Secretary

/dm