

LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY
BOARD MEETING MINUTES
February 24, 2011
Revised

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Thursday, February 24, 2011 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: Susan DeRosier
James Chase
John Monahan
Edmund Armstrong

Absent: Edward Czyzyk

Also Present: Vijay Rajput, Managing Director
Pat Koszarek, Finance Director
Nancy Burnell, Supervisor, Meter Department
Gary Tosti, Plant Manager
Vince Capaldi, Superintendent, WTP
Mickey Perrone, Asst Superintendent, WTP
Phil Smythe, Field Technician
Susan Wallover, Pretreatment Coordinator
James A. Downey III, Esquire

Annual Reorganization of the Board of Directors

Chairman

Motion

Mrs. DeRosier made a motion, seconded by Mr. Armstrong, nominating Mrs. Janet Keyser to serve as Chairperson of the Board.
Motion carried unanimously.

At this time Mrs. Keyser took her place as Chairperson.

Vice Chairman

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, nominating Mr. Edmund Armstrong as Vice Chairman of the Board.
Motion carried unanimously.

Secretary
Motion

Mr. Monahan made a motion, seconded by Mr. Chase, nominating Mrs. Susan DeRosier as Secretary of the Board.
Motion carried unanimously.

Treasurer
Motion

Mrs. DeRosier made a motion, seconded by Mr. Armstrong, nominating Mr. James Chase as Treasurer of the Board.
Motion carried unanimously.

Assistant Treasurer
Motion

Mrs. DeRosier made a motion, seconded by Mr. Chase, nominating Mr. John Monahan as Assistant Treasurer of the Board.
Motion carried unanimously.

Assistant Secretary
Motion

Mr. Chase made a motion, seconded by Mrs. DeRosier, nominating Mr. Edward Czyzyk as Assistant Secretary of the Board.
Motion carried unanimously.

Public Participation

There was no public participation at this time.

Approval and Ratification of Payment of January 2011 Accounts Payable as Presented to the Board of Directors

Questions/Comments

Mr. Chase stated that he has asked that the Board receive their packets earlier. Mrs. Marterella processes the Accounts Payable and replied that she would be more than happy to answer Mr. Chase. She did apologize that the Board did not receive the Accounts Payable earlier, however, in the months she is not able to process the Accounts Payable when she has to be in different areas of the office. Mrs. Marterella further stated that when there is someone out on disability, sick, vacation, etc., she has to cover the front office and she is not able to work out front and then do her own job, Mr. Chase stated his question has been answered.

Motion

Mr. Monahan made a motion, seconded by Mrs. DeRosier, to approve the payment of the January 2011 accounts payable as presented to the Board of Directors.
Motion carried unanimously.

Approval - Payment of February 2011 Accounts Payable as Presented to the Board of Directors

Questions/Comments

Mr. Chase questioned the following invoices:

CBM of Delaware Valley

Various invoices

Dates: 01/28/2011; 02/03/2011; 02/17/2011

Amount: \$1,886.23

Mr. Chase why there were several invoices dated 01/28/2011 for rock salt for snow & ice removal with two (2) different delivery dates, and two (2) different PO's. Mr. Chase wanted to know if this was correct. Both Dr. Rajput and Ms. Koszarek responded that it was.

Farm and Home Oil Company

Various invoices

Amount: \$9,161.36

Mr. Chase stated that the fuel usage for the Wastewater Plant is six (6) times what the Water Plant is, and asked if this is correct Dr. Rajput replied that it is most likely due to the Field Maintenance and due in part to the inclement weather we've had.

Pollardwater.Com

Invoice #1292870

Amount: \$559.64

Date: 02/18/2011

Invoice # 1292040

Amount: \$241.85

Date: 02/18/2011

Magnetic locator, gauges, Manhole Cover hooks

Mr. Chase stated that it is the same PO number (A0012699), date and description with two (2) different prices. Mrs. Marterella replied that there are two (2) invoices for one purchase order, which is why the line item description is the same.

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Robert's Auto Parts

Invoice # 01/28/11 S-3
Amount: \$27.95
S-3 tail light assembly
Invoice # 02/04/11 S-14
Amount: 27.95
S-14 tail light assembly
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Mr. Chase asked Mr. Tosti if it was just to purchase the tail light assembly. Mr. Tosti responded that it was.

Unifirst Corporation

Invoice # 1-2011 WTR Mat Rentals
Amount: \$167.40
Mat rental 1-2011
Invoice # 1-2011 WWTP Mat Rentals
Mat rental for the Water & Wastewater Plants for the month of January.

Mr. Chase stated that he noticed the same PO # and the same date and the same description with two (2) different prices. He understands the need for the mats, however; with the cost per year for the rental would it be more cost effective to buy them. Mr. Tosti replied that the mats are replaced weekly. Mrs. Keyser added that with the employees from the plant areas tracking debris, chemicals, etc., in on their work boots it makes sense to rent the mats for cleanliness purposes.

Mrs. Keyser questioned the following invoices:

Armour & Sons Electric

Invoice # 36914
Amount: \$1,675.00
Remove/install street light @ 226 Forsythia Drive

Mr. Tosti replied that a sewer line was replaced and the street light needed to be removed. Middletown Township will not pay to have them taken away that is why Armour Electric was called.

K.E Seifert, Inc.

Invoice # 925360
Amount: \$6,199.91
Labor/material sewer main 136 Juniper Drive

Dr. Rajput replied that in performing the lining project in that area it was discovered that a portion was totally damaged and could not be lined. We attempted to do the work ourselves thinking that it was only going to be 9 ft deep. The project became more difficult when work was started and it was discovered that it was close to 14 ft deep and at that depth you are going to encounter electric lines, therefore Kevin Seifert was called in.

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R. Morrell Tractor Sales

Invoice #5214
Amount: \$1,250.00
1/17 – 1/21/11 Backhoe rental

Mrs. Keyser questioned why we rented a backhoe since we have two (2). Mr. Tosti responded that the plant backhoe blew a hydraulic line and the Field Crew was on a water main break so he needed to rent another backhoe to haul stone.

R. Morrell Tractor Sales (continued)

Invoice # 15936
Amount: \$225.00
Green Dump Truck – Trans stuck in reverse 12/28/10

Invoice #15932
Amount \$225.00
Green Dump Truck @ WWTP stuck in gear 12/23/10

Mr. Tosti explained that this is an ongoing problem. Now that the roof has been installed over the centrifuge and once the conveyer is installed the truck will not be needed. Mrs. Keyser asked why they would charge for basically the same thing within days of each other. Mr. Tosti again replied that it is an ongoing problem.

Scrappy's Auto Service

Invoice # 76681
Amount: \$2,092.55
S-20 State Inspection & fixed cylinder cups

Mrs. Keyser asked if the Authority is now using Scrappy's. Mr. Smythe responded that McCaffety's was not able to make the repairs as it is specialized work. They recommended Scrappy's.

Motion

Mr. Chase made a motion, seconded by Mr. Armstrong, to approve the payment of the February 2011 accounts payable as presented to the Board of Directors.
Motion passed 5 Aye votes – 1 Abstention

Approval of the December 20, 2010 Board Meeting Minutes as Presented to the Board of Directors with Corrections

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the December 20, 2010 Board Meeting Minutes as presented to the Board of Directors.
Motion passed 5 Aye votes – 1 Abstention (Mrs. Keyser due to not being a Board Director at the time).

Pretreatment Variances

Mannkraft – 100 Main Street, Tullytown, PA – Wayne Lesher, Plant Manager

Mr. Lesher is questioning several areas of the permit for Mannkraft. After some discussion, it was decided that the representatives from Mannkraft will meet with the Pretreatment Coordinator and Dr. Rajput in order to iron these issues out.

After a lengthy discussion the following motion was made.

Motion

Mr. Chase made a motion, seconded by Mr. Armstrong, to keep the permit as is for 90 days. In that time the representatives are to meet with Dr. Rajput and Susan Wallover to work out the details/problems of the permit.
Motion carried unanimously.

Charlie's One Stop Deli – 1601 Edgely Avenue, Levittown, PA. Frederica Wilson owner and was present.

This facility was recently sold and the new owner is requesting a variance for the installation of the external 1,000 gallon baffled grease trap. Presently the facility has an existing internal 25 gallon grease trap under the sink.

Motion

Mr. Armstrong made a motion, seconded by Mr. Monahan, to grant Charlie's One Stop Deli located at 1601 Edgely Avenue, Levittown, PA the variance from the external grease and that the conditions remain the same regarding testing.
Motion carried unanimously.

Dale's Deli – 931 Veterans Highway, Levittown Temporary Permit F 187-2010 12/16/2010 – 06/02/2010.

This facility was recently purchased by Frank Merz and Bill Mahoney and they are requesting variance for the installation of the external 1,000 gallon baffled grease trap. The facility presently has an existing internal 20 gallon grease trap under the sink.

Motion

Mr. Armstrong made a motion, seconded by Mrs. DeRosier, to provide a temporary permit for one (1) year with quarterly testing. After one (1) year with the temporary permit if there are no violations, the owners may come back before the Board and a permanent waiver may be issued at that time.
Motion carried unanimously.

Ocean Delicacy – 4029 New Rogers Road, Levittown Permit F-55-2009 11/25/2009 – 11/24/2010 Victoria Aly Co-Owner was present

An NOV was issued on 10/08/2010 for failure to submit Oil & Grease results. A Compliance Order was issued on 11/08/2010 for failure to submit Oil & Grease results. A Show Cause Order was issued on 02/01/2011 to attend the 02/24/2011 Board meeting.

Ms. Aly informed the Board that the above was not done intentionally. It was a matter of lack of money.

After discussion the following motion was made.

Motion

Mr. Armstrong made a motion, seconded by Mr. Monahan, that Ms. Aly acknowledges that Ocean Delicacy was out of compliance and that they will rectify that. There will be no fines assessed due to the recent non-compliance. In March if the facility is in compliance a permit will be reissued with semi-annual Oil & Grease and typical annual solids.

Motion carried unanimously.

Uncle Bill's Country Market – 55 Highland Park Place, Levittown Permit F039-2010 04/03/2010 – 04/02/2011 – No one present

An NOV was issued on 10/14/2010 for exceeding the Oil & Grease Discharge Limit. A Compliance Order was issued on 11/22/2010 for failure to submit Oil & Grease results. A Show Cause Order was issued on 01/12/2011 to attend the 02/24/2011 Board meeting.

Dr. Rajput informed the Board that he received a letter from this facility. It indicated that they failed one test and did not follow up. Dr. Rajput was assured that this facility will comply with all permit requirements.

Mrs. Wallover will contact this facility and inform them that they are to appear before the Board at the March 24th meeting.

Pretreatment Resolution

Mr. Downey informed the Board that two (2) motions are needed in order to pass/adopt the Pretreatment Resolution.

The first motion needed is to approve a Resolution to Adopt the Pretreatment as required for Publically Owned Treatment Works.

Motion

Mr. Chase made a motion, seconded by Mr. Armstrong, to adopt the Resolution to Adopt the Pretreatment as required for Publically Owned Treatment Works.
Motion carried unanimously.

Second motion needed is to pass the Pretreatment Resolution.
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Motion

Mr. Monahan made a motion, seconded by Mrs. DeRosier, to pass the Pretreatment Resolution as presented.
Motion carried unanimously.

Managing Director's Report

Dr. Rajput reported on the following items:

Policies

Dr. Rajput stated that the following Policies are for adoption by the Board Directors.

Identity Theft Prevention Program

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to adopt the Identify Theft Prevention Program as presented to the Board Directors.
Motion carried unanimously.

Whistleblower Policy

Mr. Chase made a motion, seconded by Mr. Monahan, to adopt the Whistleblower Policy as presented to the Board Directors.
Motion carried unanimously.

Substance Free Workplace Policy

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to adopt the Substance Free Workplace Policy as presented to the Board Directors.
Motion carried unanimously.

Invitation of Bid Proposal to Sell Sensus Meter Parts and 10 Inch Sensus Meter with Backflow Preventor.

This has already been advertised. Dr. Rajput is asking for Board approval to receive the bids for the above items.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, giving approval to Dr. Rajput to receive the bids for the above items.
Motion carried unanimously.

Questions/Comments

Mrs. Keyser questioned several statements in Dr. Rajput's Man Power Study Report to the Board, dated January 24, 2011 regarding both the Water and Wastewater Plants overtime usage. Dr. Rajput responded that this report did not include all of the overtime, just overtime that was "filled in" by employees.

Water Plant

Dr. Rajput reported that the Water Plant currently has twenty-one (21) employees. Mrs. Keyser asked if this number was still correct. Joanne Newman, Secretary at the Water Plant stated that the Water Plant is down to 20 employees. The overtime calculated in Dr. Rajput's report is based on when an employee is filling in for another employee ie; Disability, Workmen's Comp, etc.

Mr. Chase asked Vince Capaldi, Superintendent, WTP and Michael Perrone, Asst. Superintendent, WTP if the work was being completed. Vince Capaldi stated that they are having a difficult time getting things done. Right now we do not have any utility personnel as they are filling in on other jobs. Mr. Chase then asked Gary Tosti, Plant Manager at the Wastewater Plant if the work was being completed at the plant. Mr. Tosti responded that they have two (2) utility working and two (2) other utility are filling in for employees that are out.

There are currently two (2) Operator's positions open, one (1) at the Water Plant and one (1) at the Wastewater Plant that need to be posted and filled. Dr. Rajput was directed to post both of these positions and fill them. Mr. Chase recommended that either the Board could meet or form a committee to discuss personnel.

DEP Rules and Regulations

Dr. Rajput informed the Board that he will develop procedures for hiring. We also should be developing some requirements for the employees to obtain an Operator's License. With the new rules and regulations from DEP this is very important.

Contract WWTP 311: Furnish and Deliver Polymers for Water and Wastewater Treatment Plants

Bids were received on November 16, 2010 for the above contract. There were three (3) bidders who submitted bid proposals. Based on review of the bid proposals received it is recommended awarding the four (4) polymer bid items for the above contract to Polydyne, Inc. located at One Chemical Plant Road, Riceboro, GA 31323.

Motion

Mr. Armstrong made a motion, seconded by Mr. Chase, to award all four (4) items listed in Contract WWTP 311: Furnish and Deliver Polymers for Water and Wastewater Treatment Plants.

Motion carried unanimously.

Interruptible Load for Reliability (ILR) Curtailment Program/Electric Demand Response Program

As part of the Authority's revenue enhancement program, we have been investigating additional sources of revenue from the Authority's participation in the Interruptible Load for Reliability (ILR) Curtailment Program/Demand Response (DR) Program. Under this program the Authority will have an obligation to interrupt its electric service at designated facilities.

The Authority will receive a Notice of a Mandatory Curtailment Event no less than one (1) hour in advance of the event. This could last up to six (6) hours in duration. We have met with representatives from PECO and Hess Corporation. If the Authority signs a contract with PECO, we will receive an annualized payment of \$27,156 for the Water Treatment Plant and \$18,900 for the Wastewater Treatment Plant. Testing will need to be performed in order to establish that the Authority has the capability to curtail the energy load. Due to time constraints we will need to make a decision within the next week or so.

After a discussion regarding the Water Filtration Plant and potential problems, it was decided to begin the program with the Wastewater Treatment Plant only. Dr. Rajput informed the Board that right now he will not go with either company until he is able to clarify some of the items that were discussed tonight and then negotiate for a better price.

The following motion was made:

Motion

Mr. Armstrong made a motion seconded by Mr. Chase, giving authorization to Dr. Rajput to look into a contract for the Wastewater Treatment Plant only to participate in the Interruptible Load for Reliability (ILR) Curtailment Program/Demand Response (DR) Program and report back to the Board with answers to all the questions that were discussed.

Questions/Comments

Mr. Downey informed the Board that in light of the time constraints, the Board will need to delegate all of your Authority to the Managing Director.

After further discussion regarding the fact that both companies are indicating that they will need a signed contract within the next one to two weeks Dr. Rajput stated that he will further research this and report back to the Board. Mr. Armstrong feels that the Board is being strong-armed with time constraints and withdrew his motion. Dr. Rajput was directed to go back to the companies and continue negotiations and to report back to the Board hopefully with better offers from the two (2) companies.

Contract WWTP 279: Installation of Cured in-Place Sanitary Sewer Lining in Various Sections along Millcreek under ITI Costar Contract No. 016017

On January 25, 2011 the Bucks County Conservation District conducted an earth disturbance inspection of the sewer lining project site in the greenbelt area.

There was no excavation involved in this project and as a result, there was no Erosion and Sedimentation Control plan submitted. However, the Contractor and Subcontractors created earth disturbance as a result of their vehicle movements. The Authority's Consulting Engineer was asked to develop the required E&S plan and submit it to BCCD as well as the Contractor for implementation. The Contractor has been informed that the Authority will not share the cost responsibility for the restoration of the site. However, the Authority will share in the cost of the silt fence and other E&S measures that are not covered under their contract. To date, no work has been done. Mrs. Keyser asked Mr. Downey to get together with Mr. Serpenti, Consulting Engineer to develop a letter to send to the Contractor.

Illegal Discharge and Performance of the Wastewater Treatment Plant

The investigation is still ongoing. Sampling is also being done from the lining projects as well as from our bulk customer sites. The Wastewater Treatment Plant tested much better in the month of January. The Authority did receive a Notice of Violation only which Dr. Rajput responded back to the Department of Health.

Total Tri Halomethanes (TTHM) Running Annual Average Exceedance for 2010

The Water Filtration Plant received a Notice of Violation with regards to the exceedance of the Maximum Contaminant Level (MCL) for TTHM. Tri Halomethanes. Per PADEP regarding the Public Notice distribution. A hard copy of the notice will be included with the CCR (Consumer Confidence Report).

Contract WWTP 286: Sludge Cake Loading Area Modifications

The Contractor has completed installation of the prefabricated building and is currently waiting for the manufacturer of the screw conveyor to submit shop drawings. The Contractor is also scheduling the replacement of the roof panels. The Contractor will need additional time to complete the installation.

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, to extend the contract an additional two (2) months in order to allow the Contractor to complete the above work. Motion carried unanimously.

Summer Intern/ Co-Op Student

Dr. Rajput is requesting Board approval to advertise and interview for one (1) summer intern/Co-Op Student for a period no longer than six (6) months at a salary range between \$16.00 to \$20/ per hour

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, giving Dr. Rajput authorization to advertise and interview for one (1) summer intern/ Co-Op student for a period no longer than six (6) months at a salary to range between \$16.00 per her to \$20.00 per hour Motion carried unanimously.

Vehicle Maintenance

As in previous years, each January the Board reverses the auto vehicle repair centers for the plants.

Motion

Mr. Chase made a motion, seconded by Mr. Armstrong, to reverse the auto vehicle repair centers as has been done in past years. Water Filtration Plant vehicles will now go to Suder's Automotive in Levittown and the Wastewater Treatment Plant vehicles will now go to Robert's Auto Repair in Tullytown.
Motion carried unanimously.

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

Executive Session

At 10:05 P.M. Mr. Downey requested an executive session. The regular Board meeting reconvened at 11:18 P.M. Mr. Downey stated that during the executive session, ongoing litigation and personnel matters were discussed.

Mr. Downey requested authorization from the Board to permit him to proceed forward in the matter of Falls Township vs LBCJMA.

NOTE: Mr. Armstrong left the meeting at 11:15 PM

Motion

Mr. Chase made a motion, seconded by Mr. Monahan, granting permission to Mr. Downey to proceed forward in the matter of Falls Township vs. LBCJMA.
Motion carried unanimously.

Finance Director Salary

Motion

Mr. Chase made a motion, seconded by Mrs. DeRosier, to give Ms. Koszarek, Finance Director a salary increase of 6%; 3% for 2010 and 3% for 2011 retroactive to January 1, 2011.
Motion carried unanimously.

Motion

Mr. Chase made a motion, seconded by Mrs. DeRosier, that Ms. Koszarek's raise be retroactive from January 1, 2011.
Motion carried unanimously.

Ms. Koszarek thanked the Board.

Finance Director's Report

Ms. Koszarek reported on the following unadjusted Balances:

Revenue Account Balance	\$9,447,610.88
Accounts Payable Approved 02/23/2011	< 205,224.60>
Lining Project	<1,600,000.00>
Kenwood Roof Project	<117,500.00>
Jet Truck	<132,000.00>
Meter Truck	<24,000.00>
DAF Building	<26,200.00>
Vermilion Hills Tank	<60,000.00>
Well #5	<6,000.00>
Committed Capital	<1,947,700.00>
Unadjusted Balance	<7,294,686.28>

Returned Checks

Ms. Koszarek stated that she has been keeping track of the returned checks. The majority is for payment on shut-off notices. Right now the way the procedure is set up there is quite a bit of paperwork not to mention time consuming. Can this be handled differently? Mr. Downey replied a notice can be sent stating that if the check is dishonored then the Authority will proceed without further notice. This can be incorporated with the original shut-off notice.

Motion

Mrs. DeRosier made a motion, seconded by Mr. Chase, giving Ms. Koszarek to include the above mentioned wording in with the original shut-off notices. Motion carried unanimously.

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

Old Business

Meter Department Building

Mrs. DeRosier questioned the progress of the Meter Department Building. Mrs. Burnell replied that only one company has given a quote on the building. Now we need to develop plans and specs and put it out for bid. Dr. Rajput added that he is still looking at several options. Mrs. Keyser stated that this was authorized over a year ago. Mrs. Marterella stated that this was first approved September 24, 2009. Mrs. Keyser asked Mr. Serpente, Consulting Engineer to meet with Mrs. Burnell to start developing the plans and specs.

Capital Improvement Budget

Dr. Rajput stated that he has drafted the Capital Improvement Budget and will discuss it with the Board at the March meeting.

Thank you

Mrs. DeRosier thanked Fred Walcott, an Authority employee for assisting her with a problem last year.

Cash Payments

Mrs. DeRosier made a motion last month regarding the collection of cash. Based on the additional information she received she would like to make a motion to withdrawal her original motion. Mrs. Keyser added that what was approved last month was for the Managing Director and Finance Director come back to the Board with a plan.

Motion

Mrs. DeRosier made a motion, seconded by Mr. Monahan, that it has been determined that there is no necessity or plan for collecting cash.
Motion carried unanimously.

New Business

Mr. Chase stated that he received a letter in his Board packet regarding 39 Whitewood Drive. He asked if this situation has been taken care of. Dr. Rajput replied that it has.

Marcellus Shale

Mrs. DeRosier stated that she has been collecting newspaper articles on the Marcellus Shale and the effect it will have on our water system. Mrs. DeRosier feels that the Authority should look into this.

Public Participation

There was no public participation brought before the Board at this time.

Adjournment of Board Meeting

Mrs. DeRosier made a motion, seconded by Mr. Chase, to adjourn the Board meeting at 11:31 P.M.
Motion carried unanimously.

Respectfully submitted by:

Susan DeRosier
Secretary

/dm