

**LOWER BUCKS COUNTY JOINT MUNICIPAL AUTHORITY  
BOARD MEETING MINUTES  
June 28, 2012**

The Board Directors of Lower Bucks County Joint Municipal Authority held their monthly meeting on Thursday, June 28, 2012 at the Authority's Administration office located at 7811 New Falls Road, Levittown, Pennsylvania 19055.

**Call to Order**

Mr. Armstrong, 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: Janet Keyser  
Susan DeRosier  
James Chase  
John Monahan  
Edmund Armstrong

**Absent:** Edward Czyzyk

**Also Present:** Vijay Rajput, Managing Director  
Pat Koszarek, Finance Director  
Vince Capaldi, Superintendent, WTP  
Fred Walcott, Assistant Superintendent, WTP  
Phil Smythe, Field Technician  
Bill Keyser, Electrician  
Susan Wallover, Pretreatment Coordinator  
James A. Downey III, Esquire  
Robert Serpenti, Consulting Engineer

**Public Participation**

**Tenant Occupied Property**

Ms. Helene Mershon introduced herself and stated that she rents a home out to tenants located at 296 Blueridge Drive. Ms. Mershon explained that she did not know that the owner (herself) was responsible for the water/sewer bill and the tenants that are renting from her have not paid their water/sewer bill. They left the property in terrible shape. Ms. Mershon asked the Board if there was any way that she could have the water turned back on at this property so that she can refurbish the house. Dr. Rajput told Ms. Mershon to come to the office tomorrow and she would make payment arrangements with her.

**Sewer Back Up – Goldenridge Section**

Mark Hogan of 5 Gable Hill Road, along with two (2) other families and a few Bristol Township Council Members addressed the Board regarding several sewer backups that occurred in their homes on June 9, 2012.

Mr. Hogan's house suffered the most damage. Mr. Hogan addressed the Board and stated that he is here tonight to speak to the Board about some type of restitution for the damages that were caused by the sewer back up. Mr. Armstrong stated that to say that the Board is sympathetic and understanding would be a gross understatement. The concerns we have is due to the Pennsylvania Sub-Political Tort Claims Act which literally puts the Authority between a rock and a hard place.

Mr. Downey explained that the Authority is subject to and governed by the Political Sub-Division Tort Claims Act. Mr. Hogan mentioned, and properly so, he feels there is a moral obligation. Well this Board has a moral obligation also. As Mr. Armstrong eluded to, as well as Mr. Patton, the Authority's Insurance Broker, the Board Directors of Lower Bucks County Joint Municipal Authority have a fiduciary responsibility, the highest responsibility in the law to do the right thing. It is their moral obligation to see that they act within the law.

Mrs. DeRosier stated that she spoke to Mr. McDermott from Community Development and passed along the information and phone number to Mr. Hogan.

**Approval and Payment of the June 2012 Accounts Payable as Presented to the Board of Directors**

**Motion**

Mr. Chase made a motion, seconded by Mrs. DeRosier, to approve the payment of the June 2012 Accounts Payable as presented to the Board Directors.

**Questions/Comments**

Mr. Monahan questioned the following invoice:

1. Greenscape Landscape Contractor, Inc.

Invoice # 36137-37006-37005-36168

Amount: \$93,795.00

Tree Removal at various locations

Mr. Armstrong replied that it is for tree removal behind Black Ditch Park.

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Mrs. DeRosier questioned the following invoice:

2. Philadelphia Indemnity Insurance Co.  
Invoice # 79420823 6-12  
Amount: \$12,305.28  
Two (2) SBU Claims Allen/Slawek

Ms. Koszarek explained that the payment was for two (2) sewer backup claims. The Authority has a per occurrence deductible of \$25,000.

Mrs. Keyser questioned the following invoice:

3. Edmund Armstrong  
Invoice #Symposium Registration Remibursement  
Amount: \$149.00  
Land Ethics Symposium

Mr. Armstrong explained that he is not able to attend the seminars in Hershey, therefore, he goes to any seminars that are relevant to the Authority that are local. Mrs. Keyser asked how this seminar for Land Ethic Symposium would be relevant to the Authority. Mr. Armstrong replied that it was.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried unanimously

**Approval of the May 24, 2012 Board Meeting Minutes as Presented to the Board Directors**

**Motion**

Mr. Chase made a motion, seconded by Mr. Monahan, to approve the May 24, 2012 Board Meeting Minutes as presented to the Board Directors.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried unanimously

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**Pretreatment Variances**

**Ocean Delicacy - 4029 New Rodgers Road Levittown - Permit No. F169-2011  
(03/07/2011 - 03/06/2012)**

This facility has received several notices of Violations as well as a Compliance Order for Failure to perform sample analysis. TSS and Oil & Grease were due 03/02/2012 and permit has expired. Direction is needed from the Board.

**Motion**

Mr. Chase made a motion, seconded by Mr. Monahan, to extend the permit for Ocean Delicacy until the September meeting at which time the facility will need to produce all testing results to the Board.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried unanimously

**Chicken Holiday - 142 Woodbourne Road Levittown - permit No. F041-2012  
(05/13/2012 -05/13/2012)** Facility owner Mr. Wong is requesting a reduction in the sampling requirements for Oil & Grease and TSS. The current permit requires quarterly sampling for both parameters.

Mrs. Wallover informed the Board that Mr. Wong was not present at tonight's meeting.

No action will be taken by the Board Directors due to no representative for this facility attended the meeting to present their case.

**Managing Director's Report**

**Contract WWTP-331: Purchase of Jet Truck under PA State Contract DGS Contract  
4400006042**

We have received a quotation from U.S. Municipal located at 461 Glennie Circle, King of Prussia, Pennsylvania for a Jet Truck. Based on detailed evaluation, it is recommended purchasing the Jet Truck for a total amount of \$261,644.00 plus an extended warranty from U.S. Municipal under PA State Contract - DGS Contract No. 4400006042. The extended warranty will be approximately \$5,000 - \$6,000 depending on the length of the warranty.

**Motion**

Mr. Chase made a motion, seconded by Mrs. DeRosier, authorizing Dr. Rajput to purchase the Jet Truck, Contract WWTP-331 under PA State Contract DGS Contract 4400006042 including the extended warranty with a total price not to exceed \$270,000.

**Roll Call**

Mrs. Keyser           Aye  
Mr. Chase             Aye  
Mr. Monahan         Aye  
Mrs. DeRosier        Aye  
Mr. Armstrong       Aye  
Motion carried unanimously

**Contract WWTP 326 – Furnish and Supply Sodium Hypochlorite and Sodium Hydroxide**

Bids were received June 26, 2012 for the above contract. Based on review of all contract documents, it is recommended awarding the awarding Contract WWTP-326 – Furnish and Supply Sodium Hypochlorite and Sodium Hydroxide to the lowest bidder Chemical Equipment Labs, 1 Walnut Street, Marcus Hook, PA 19061, with a unit price of \$1.27 per gallon delivered and \$1.62 per gallon delivered for Liquid Sodium Hypochlorite and Liquid Sodium Hydroxide, respectively.

**Motion**

Mr. Monahan made a motion, seconded by Mrs. DeRosier, authorizing the purchase of Sodium Hypochlorite and Sodium Hydroxide for 1.27 per gallon delivered and \$1.62 per gallon delivered respectively.

**Roll Call**

Mrs. Keyser           Aye  
Mr. Chase             Aye  
Mr. Monahan         Aye  
Mrs. DeRosier        Aye  
Mr. Armstrong       Aye  
Motion carried unanimously

**Contract WTP 330: Furnish and Install Boiler at the Water Treatment Plant (Replacement of the Existing Boiler)**

Bids were received on June 26, 2012 for the above contract. After a review of all information presented in the bid package, it is recommended awarding Contract No. WWTP-330 to Blooming Glen Contactors, Inc., 901 Minsi Trail, Blooming Glen, PA in the total base bid amount of \$57,962.

**Motion**

Mr. Chase made a motion, seconded by Mrs. Keyser, to award Contract WTP 330: Furnish and Install Boiler at the Water Treatment Plant (Replacement of the Existing Boiler) to Blooming Glen Contactors, Inc., 901 Minsi Trail, Blooming Glen, PA in the total base bid amount of \$57,962.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried unanimously

**Contract WWTP 327: Furnish & Provide Services for Tree Trimming and Removal**

Bids were received June 26, 2012 for the above contract. Based on review of all bid documents, it is recommended awarding Contract WWTP 327 Furnish & Provide Services for Tree Trimming and Removal to Bustleton Services, Inc., 735 Birch Avenue, Bensalem, PA 19020 for a price of \$150.00 hourly rate to include three (3) Employees and one (1) bucket Truck). This is for normal working hours and other than normal working hours. The duration of this contract is one (1) year.

**Motion**

Mr. Chase made a motion, seconded by Mrs. DeRosier, to award Contract WWTP - 327 to Bustleton Services, Inc., 735 Birch Avenue, Bensalem, PA 19020 for a price of \$150.00 hourly rate to include three (3) Employees and one (1) bucket Truck) this is for normal working hours and other than normal working hours and with the stipulation that all bills are to be itemized.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Nay
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried 4 Aye votes – 1 Nay vote

**Purchase of Vehicle for Water Treatment Plant**

As discussed at the May Board meeting, the Water Plant vehicles for the Plant Operator and Utility personnel were reviewed. Presently, there are four (4) vehicles being used by the Operators and Utility personnel. It has been determined that two (2) vehicles can be retired and purchase one new vehicle or replace two (2) vehicles with one (1). A quote has been obtained under COSTARS 026-029 for a 2012 Ford F-150 four (4) wheel drive in the amount of \$23,121.40. It is recommended to purchase this vehicle for the Water Treatment Plant to replace two (2) vehicles. This vehicle will be used by the operators during inclement weather.

**Motion**

Mr. Chase made a motion, seconded by Mr. Monahan, authorizing the purchase of a 2012 Ford F-150 four (4) wheel drive from COSTARS 026-029 in the amount of \$23,121.40.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried unanimously

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

Mrs. Koszarek asked the Board if she would be able to leave the meeting for a short period of time in order to attend the Bristol Township School Budget Meeting as they are adopting the Budget for the School District. The Board Directors granted permission for Ms. Koszarek to leave the Authority's Board meeting. Ms. Koszarek stated that she would return to the meeting as soon as possible.

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

Mr. Downey stated that over the last 18 months, if not longer, there have been so many mortgage foreclosures pending. It is just tragic and that makes it very difficult to file liens with the Prothonotary. Mr. Downey stated that he, along with his Assistant, have found a website that will enable them to check the address prior to filing any liens to make sure who owns the house. This will save the Authority a lot of time and money.

At 8:53 P.M. Mr. Downey requested an executive session. The Board took a five (5) minute recess prior to going into Executive Session. The regular Board meeting reconvened at 9:45 P.M. Mr. Downey stated that during executive session, potential litigation, ongoing litigation and personnel matters were discussed. Three (3) motions are needed.

**Motion #1 Removal of Meter on Property**

Mr. Chase made a motion, seconded by Mr. Monahan, authorizing Mr. Downey to seek an administrative warrant to remove a meter from a property where we have a judgment against the homeowner/ratepayer.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried unanimously

**Motion #2 – Notification of Violations from the Commonwealth of PA DEP**

Mr. Chase made a motion, seconded by Mrs. Keyser, granting permission to Mr. Downey to satisfy a Notice of Violations made by the Department of Environmental Protection Agency in the amount of \$2,610.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Aye

Motion carried unanimously

**Motion #3 – Termination of Employee #001142**

Mrs. Keyser made a motion, seconded by Mrs. DeRosier, to terminate employee #001142 due to a second failure of the Authority's Drug Policy.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Abstain due to friendship with the employee

Motion carried 4 Aye votes – 1 Abstention



**Revision to the Authority's Drug & Alcohol Policy**

**Motion**

Mrs. Keyser made a motion, seconded by Mrs. DeRosier, that the Authority's Drug & Alcohol Policy be revised. Wherever in the policy it states that an employee is dismissed/terminated from employment after his/her second violation for drugs and/or alcohol, that it be changed to one time violation and the employee is terminated, effective immediately.

**Roll Call**

Mrs. Keyser	Aye
Mr. Chase	Aye
Mr. Monahan	Aye
Mrs. DeRosier	Aye
Mr. Armstrong	Nay

Motion carried 4 Aye votes – 1 Nay vote

**Finance Director's Report**

Ms. Koszarek reported on the following:

**Unadjusted Balances**

Bank Balance	\$12,736,714.22
Accounts Payable	350,290.56
Unadjusted Balance	12,386,423.66

**Old Business**

Mr. Chase wanted to officially thank Vince Capaldi, Superintendent of the Water Filtration Plant for including pictures with his report this month.

**New Business**

**Demand Response**

Mrs. DeRosier inquired about the Demand Response test at the plant. Dr. Rajput replied that it went well.

### **Mapping at the Wastewater Treatment Plant**

Mrs. DeRosier stated that she was informed that the mapping at the Wastewater Treatment Plant needs to be updated. Dr. Rajput replied that there are a few things that need to be worked on and we take them one day at a time. Phil Smythe responded that the problem we actually have is that right now we have no where to put the maps.

Mr. Armstrong stated that he feels that this Board needs to bite the bullet one of these days and spend X number of dollars to preserve our maps and further stated that some of our blueprints are priceless.

### **Low Lane Pump Station**

Mr. Chase stated that Bill Edwards from the Lakeside section came to Tullytown Council regarding a piece of ground that the old Christ Lutheran Church is looking to get rid of. This church merged with another church and when they sold the property someone in the deed search missed this piece of property. Mr. Chase is going to have Mr. Edwards get in touch with Dr. Rajput and see if there is something that could be worked out.

### **Summer Intern**

Ms. Koszarek informed the Board that Ms. Rajput has started her summer internship. She is doing a fine job. Currently she is working on one of the projects. There are some questions regarding her doing any union work as she was specifically hired as an Intern unlike she was last year where she filled in where needed. Right now we have two (2) people out in the Administration office and Ms. Koszarek asked Laureen Marterella, Union Representative for the clerical unit to explain. Mrs. Marterella stated that Ms. Rajput can keep the title Intern and add an additional title as this would be good for her resume. Mrs. Marterella thanked the Board for re-adjusting the title to Summer Intern Administration.

Mr. Armstrong wanted to thank everyone in the room tonight for their decency and empathy and civility towards Mr. Hogan tonight and to the entire issue.

### **Public Participation**

There was no one from the public that wished to address the Board at this time.