BOROUGH OF KUTZTOWN
SPECIAL WATER/WASTEWATER
COMMITTEE MEETING
MINUTES OF APRIL 27, 2022

A special meeting of the Water/Wastewater Committee was held on Wednesday, April 27, 2022 at the Kutztown Municipal Building, 45 Railroad Street.

The meeting was called to order at 6:32 p.m. by Mr. Ed Seyler, Chairman. Members present were: Mr. Ed Seyler, Dr. Derek Mace and Ms. Lisa Ladd-Kidder. Also in attendance: Mr. Gabriel Khalife, Borough Manager; Mr. Troy Smith, Water Plant Manager; Mr. Jarrad Burkert, Sewer Plant Manager; Mr. Jim Schlegel, Mayor; Mr. Kevin Snyder, Borough Council President, and Ms. Jill Remick, Recording Secretary. Public Attendance: Steve Wehr, Jeri Wehr, Tom Dredge, Ken Franke, John Zima, Steve Wilson, Tom Schearer, Christy Schearer, and Earl Peterson.

PUBLIC COMMENTS
There were no public comments.

BUSINESS TO DISCUSS

Sewer Ordinance Review
Mr. Burkert reviewed the submitted comments and answered Ms. Ladd-Kidder’s questions.

MTMA’s Sewer Plans (Planning Module #537)
Mr. Burkert and Committee Members discussed their concerns and noted that neither Duke Realty or MTMA has reached out to the Borough of Kutztown to discuss the future plans for sewer treatment from the Duke Realty Projects. Mr. Burkert more specifically stated his concerns were that the Borough and the Sewer Department do not want a connection made to an already “flooded” MTMA pump station, and therefore adding more co-mingled sewage to the Borough’s system. Mr. Burkert is also concerned that plans for the connection will be approved without the aforementioned concern being addressed. Finally, Mr. Burkert questioned why DEP has not made any communication to himself on the connection due to the current status of the co-mingling.

Motion by Ms. Ladd-Kidder and seconded by Dr. Mace to recommend Borough Council ask its solicitor, Keith Mooney, to send a letter to the PA DEP, Southcentral Regional Office, Bureau of Clean Water, with copies to MTMA, Maxatawny Township, HRG, and the Berks County Planning Commission, notifying all parties of the following information with respect to MTMA/Duke Realty’s Sewer Planning Module for Valley Logistics Park in Maxatawny Township:

* That the Borough of Kutztown has NEVER been consulted or informed by MTMA or PA DEP about any proposed design or redesign of the local sewer system.
* That there are NO agreements in place between the Borough of Kutztown and MTMA regarding any change to the current sewer service.
* That MTMA must agree to be responsible for any and all expenses resulting from any change in local sewer service, i.e., an interruption of sewer service for the Borough,
any needed additional equipment or parts, any damage to the Borough’s equipment, any use of Borough staff for crisis management.

* That the so-called Joint Comprehension Plan among the Borough of Kutztown, the Borough of Lyons, and Maxatawny Township does NOT exist. It was never completed and signed.

The motion passed by unanimous vote.

**PCE Levels**

Ms. Ladd-Kidder reviewed at length the data she has complied regarding the levels of metals and PCEs tested at the quarry’s monitoring wells and outfall discharge pipe.

Motion by Ms. Ladd-Kidder and seconded by Dr. Mace to recommend the following actions by the WWW Committee:

1. That the Committee request that NESL send an electronic copy of M.J. Reider’s periodic testing results of quarry water taken from the monitoring wells and the discharge pipe at the Saucony Creek within two days after receipt.
2. That the Committee clarify with NESL the response process when the PCE test results from the discharge pipe exceed the maximum 2.5 µg/l, i.e., notification, cessation of pumping, waiting period, retesting, restarting the pumps.
3. That with the rises in PCE levels from both the monitoring wells and the discharge pipe, the Committee should monitor the water in the Borough wells more closely by having the VOC levels tested annually.
4. That with the rise of PCE levels in the water from monitoring well #6a, the Committee should monitor the test results of the monitoring wells more closely and review the PCE levels every quarter.
5. That with the rise of PCE levels in the water from the quarry discharge pipe, the Committee should monitor the test results from the discharge pipe and review the PCE levels every quarter.
6. That with the rise of PCE levels in the water from monitoring well #6a, the Committee should return to posting the quarterly test results for Metals and VOCs on the Borough website. The Committee should update the Borough website by posting these same test results for 2021 and the current portion of 2022.
7. That the Committee should reevaluate the situation of PCE levels in the water from both the quarry monitoring wells and from the quarry discharge pipe in six months’ time.

The motion carried by unanimous vote.

Motion by Ms. Ladd-Kidder and seconded by Dr. Mace to recommend the following actions to Borough Council:

1. The Borough should notify PA DEP of the rising PCE levels found in monitoring well #6a, with examples of some test results which now exceed the MCLs. Copies of this notice should be sent to the respective concerned agencies and organizations, i.e., Berks Country Conservation District, the Delaware River Basin Commission, Berks Nature, Maiden Creek Watershed Association, PA Senator Judith Schwank, Reading Area Water Authority, and Maxatawny Township Supervisors.
2. The Borough should request information from NESL (or PA DEP) on the different pumping rates at the quarry (along with the start and end dates of each pumping rate period) from the year 2015 to the present. And in order to maintain a more complete record, the Borough should ask NESL to inform the Borough whenever there is a change in the pumping rate (along with the start and end dates of that the pumping rate period).

The motion passed by unanimous vote.
Further Discussion/Clarification of the Ownership of Township Water Lines (Troy)
Mr. Smith raised additional concerns and questions regarding the ownership of township lines.

Proposed Warehouse in Maxatawny Township, 310 Hilltop Road
The developer was present and request to be served with 7,000 gpd of water, approximately 40.8 EDUs. No action was taken due to lack of a motion.

Off Agenda Items
There we no off agenda items.

ADJOURNMENT
There being no further business to discuss, motion by Dr. Mace and seconded by Ms. Ladd-Kidder to adjourn the meeting. The motion carried and the meeting was adjourned at 7:45 p.m.