

***MINUTES OF THE
TOPTON BOROUGH COUNCIL
MONDAY, July 14, 2014***

Members of the Topton Borough Council met on Monday July 14, 2014 at 7:30 P.M. at Borough Hall for the regularly scheduled meeting. The meeting was called to order by Mr. Stauffer with the Pledge of Allegiance.

Roll call was taken and the following members were present; Mr. Beck, Ms. Lorah, Mr. Jost, Mr. Wagaman, Mr. Gehman, Mr. Arndt, and Mayor Biltcliff. Also in attendance were Borough Secretary Marcus Dolny, Solicitor Joan London, Harry Garman, and visitors.

APPROVAL OF MINUTES

On a motion by Mr. Arndt, seconded by Mr. Wagaman the minutes of May 12, 2014 were approved unanimously with corrections.

COMMUNICATIONS:

Troop 585 asked for permission to hold a car wash in the Weis St. Parking lot on Saturday August 9, 2014 from 11:00AM to 3:00PM. Mr. Wagaman made the motion to approve, seconded by Mr. Jost and approved unanimously.

Mr. Jost submitted a letter to council asking for a waiver from sewer charges for a leak outside his home. Mr. Arndt made the motion with Mr. Beck seconding. The motion passed unanimously with Mr. Jost abstaining from the vote.

Topton Ambulance asked for permission to use the Weis St. parking lot to hold a BBQ chicken fundraiser on August 7, 2014. On motion by Mr. Wagaman, seconded by Mr. Jost the motion passed 6 to 1 with Mr. Gehman voting no.

Read a letter from resident Patricia Regensburger of Home Ave. regarding Truck traffic in Topton.

HEARING OF VISITORS:

Assistant Chief Jason Robinson of the Topton Volunteer Fire Company presented a proposal to purchase new air packs and asked for council to allocate funds from the fire tax to pay for 20% of the cost estimated at \$27,433.80. On motion by Mr. Jost, seconded Mr. Gehman the motion passed unanimously and the request was granted.

Blaine Campbell addressed council regarding difficulty he is having with his neighbors. Solicitor London is looking into the matter between 42 and 48 N. Main St.

COMMITTEE REPORTS

Personnel Committee – (Mr. Stauffer)

Appeals Board Appointments Tabled till August.

Finance Committee – (Mr. Wagaman)

Mr. Wagaman made a motion to allow the payment of bills. Mr. Arndt seconded the motion and it was approved unanimously.

Property Committee – (Mr. Jost)

Working on cleaning the watershed.

Parks & Recreation Committee – (Mr. Beck)

Addressed attendance being slightly down for this years music in the park series.

Streets Committee – (Mr. Arndt) -

Mr. Arndt took action on Mr. Miller's request for a handicap parking space, stating one should be placed at 18 N. Main St. The motion was seconded by Mr. Beck and passed unamiously.

Utility Committee – (Mr. Gehman) –

No Report – Deferred to Engineer

Public Affairs Committee – (Ms. Lorah) –

NO REPORT

Mayor's Report –

Talked about the following upcoming events:

July 15th – Senior Citizen's Day

July 26th – Free Movie Night sponsored by the Community Task Force at the Middle School

Aug 5th – National Night Out

Secretary's Report

Robert Bennecoff has asked council for assistance in paying for the certifications he was requested to get due to the high cost. Mr. Wagaman made the motion to pay for the classes up front instead of after successful completion, with the understanding if the course is not passes cost will have to be reimbursed. The motion was seconded by Ms. Lorah and passed unanimously.

Mr. Dolny also presented council with a sample ordinance outlining mandated recycling to be offered by haulers in a mandated recycling community. Matter will be discussed further in August.

Solicitor's Report

Mr. Gehman made a motion to adopt Ordinance 4-2014 Quality of Life, in reference to changes of procedures, due process, appeals, and also changing the requirement of snow shoveling to be the width of the sidewalk not to exceed 48". The motion was seconded by Mr. Jost, the motion passes unanimously.

Update in regards to the curbing matter at the corner of Washington and Heffner, Ms. London will proceed as need once she receives certified copies of engineer reports and minutes.

Engineer's Report

1. Sewage Treatment Plant Copper Limit

As reported last month, we had notified DEP that the Borough had decided to perform a Biotic Ligand Model (BLM) study in order to develop copper criteria for Toad Creek; a draft BLM study plan was provided to DEP. Several weeks ago, I spoke to Tom Barron of DEP about the draft BLM study plan and he indicated that the BLM study would most likely need to be extended to an 18 month period with 4 or 5 samples taken each quarter; the draft study plan proposed a 12 month period with one set of samples taken each quarter. Mr. Barron suggested that a meeting be held at the site before the BLM study plan be approved.

Last Monday, July 7th, Russ received a telephone call from Erick Ammon of DEP saying that there was a meeting scheduled at the treatment plant the next day, Tuesday July 8th. The purpose of this meeting was to discuss the copper issue at the treatment plant and to discuss what the Borough plans to do in order to avoid future copper discharge violations.

This meeting was attended by: David Gates, DEP Compliance Specialist, Victor Landis, DEP Water Quality Specialist Supervisor, Erick Ammon, DEP Sanitarian, Russ Pilgert, Sewage Treatment Plant Operator, Frank Jost, Borough Councilman and Harry Garman of Barry Isett and Associates. Mr. Gates and Mr. Landis are from DEP's Southcentral Regional Office in Harrisburg.

As stated, the purpose of the meeting was to discuss the copper issue and to discuss what the Borough intends to do about it.

We discussed the fact that a draft BLM study plan had been submitted to DEP and that we had recent discussions with Tom Barron of DEP about this plan and it seemed as though he would approve the plan with a longer study period and more frequent stream sampling. We were told that it is unlikely that the BLM study will be approved because the Toad Creek is an impaired stream and the DEP representatives do not believe there will be any relief of the copper parameter as long as the creek is impaired. DEP was reminded that the Borough had decided to do the BLM study because they were encouraged to do so by DEP.

We also discussed that Russ had contacted DEP over a year ago about adding a chemical precipitant, known as TR-50, in the treatment plant for the removal of the copper and he was told by DEP that TR-50 is not approved for use in wastewater treatment plants. It was recently learned that DEP has published a list of chemicals that are approved for discharging into the waters of the Commonwealth and that TR-50 is on the list. Apparently TR-50 was approved on September 18, 2013. This list includes some 'Aquatic Life Effects' values for TR-50 that may be problematic; however, the manufacturer of TR-50 claims that this product is not harmful to fish and other living things in the stream. The DEP representatives did not seem to encourage about the possibility of using TR-50 and asked that we find out other treatment plants that use this product.

We asked DEP about other systems that have copper limits and what are they doing about it. There was one system in southern York County. This system has not yet found a way to comply with their copper limit and it was explained that this system is complicated by the fact that a portion of the service area is in the State of Maryland which regulates the drinking water. Another plant was in neighboring Fleetwood which we were told was able to comply by changing their source water. Fleetwood has some springs which were their main source of drinking water; but, in order to comply with the copper limit at the sewage treatment plant, they switch to well water. After our meeting with DEP, Russ contacted Fleetwood and asked about how they are meeting their copper limit. Russ was told that they are now using a blended water by utilizing their wells much more than before and also adding the chemical, SeaQuest to their drinking water. The well water has a pH of 7.6 and it is believed that the higher pH is the basis of the reduction of copper. They are not certain that the SeaQuest does a lot for the copper; but, the operator noted that since they started adding the SeaQuest, they have noticed that their water mains have been cleaner and they have gone from flushing their hydrants from twice a year to once a year.

The DEP asked why the Borough is opposed to add a chemical inhibitor such as SeaQuest to the drinking water and they were told that the Borough does not want to add chemicals to the water that their customers drink. It is preferred to take care of the copper at the treatment plant. Russ also pointed out that there may be swimming pools that discharge their water to the sanitary sewer system and treating the drinking water will not do anything if swimming pools are a source of copper to the waste stream.

DEP asked that we have another meeting in about a month and a half; therefore, we will most likely meeting with them again towards the end of August. In the meantime we will do

the following:

We will continue to work with Tom Barron of DEP regarding to BLM study. It was acknowledged that the BLM study has not been officially ruled out.

We have contacted Coyne Chemical and have schedule doing some jar tests to see how effective TR-50 is in removing the copper. Once the jar test are completed, we will be able to come up with an approximate annual expense based on the recommended dose rate. We will also put together a list of other treatment facilities using TR-50 in Pennsylvania and whether or not TR-50 was approved by DEP.

We will provide more information to the Borough on adding SeaQuest or a similar phosphate blend to the drinking water and possibly using more well water in order to raise the pH; this will minimize the amount copper leaching into the water stream inside the homes.

Pursuant to the meeting, Russ reported that to his recollection, the copper levels were considerably lower prior to adding a poly aluminum chloride (PAC) at the treatment plant in order to lower the phosphorus levels. Russ will research the copper values prior to adding the PAC and will conduct some experiments by adjusting the PAC dose rate.

2. Sewage Treatment Plant influent Screen

The screen has been installed and now has been in service for a little more than a month. There are a few minor items that should be completed regarding the screen installation.

The heat trace should be replace with a type of shielding that is capable of withstanding occasional flooding of the pit.

The vendor shall replace the cracked housing for the filter on the spray wash water service line.

The vendor has promised to visit the plant to discuss the need to manually pull certain items from the screen.

The Borough shall install a backflow preventer on the water service line.

Although the Part II Permit has not yet been issued, we recently met with DEP and it is expected that the permit should be issued within the next few days. DEP is aware that the screen has been installed and in service.

3. Toad Creek Improvements

Topographic survey is approximately 100% complete, as BIA crews completed the field work on the school property. The existing features base plan is being finalized. Environmental survey and field work continues.

4. Zoning Ordinance Update

Bob Korp of BIA attended the May Planning Commission meeting and will be attending subsequent monthly meetings. Bob Korp and Marcus Dolny performed a field reconnaissance on 7/10 to view existing, non-conforming uses. Next PC meeting is scheduled for July 23rd.

5. Borough Hall sign

Ryan Kern prepared and submitted a Zoning Application for the electronic Borough Sign. The Borough received a Notice of Zoning Permit Denial on July 7th. The borough will need to apply for a Variance and attend a meeting with the Zoning Hearing Board.

Old Business

Siebert Property - Pending.

Executive Session – Personnel

On motion by Mr. Wagaman, seconded by Mr. Beck council entered executive session unanimously at 8:57PM

On motion by Mr. Wagaman, seconded by Mr. Beck council exited executive session unanimously at 9:16PM

At this time the gavel and control of the meeting was turned over to Vice President Wagaman.

Mr. Jost made the motion to award Bonnie Stauffer a \$1.50/hr merit increase based off of new responsibilities. The Motion was seconded by Mr. Beck and the vote was split 3 to 3, with Mr. Wagaman, Ms. Lorah, and Mr. Gehman voting in the negative. Mr. Stauffer abstained from the vote. The tie was broken by Mayor Tom Biltcliff voting in favor of the merit increase, passing the motion.

Mr. Jost made a motion to award Jessie Kemp a \$.25/hr merit increase seconded by Mr. Beck and passed 5 to 1, with Mr. Gehman voting no and Mr. Arndt abstaining .

ADJOURNMENT:

Council adjourned at 9:27 PM on a motion by Mr. Jost, seconded by Ms. Lorah

The next Borough Council meeting will be held on August 11, 2014 at 7:30 PM.

Respectfully Submitted

Marcus V. Dolny
Borough Secretary