

***MINUTES OF THE  
TOPTON BOROUGH COUNCIL  
Monday December 11, 2017***

Members of the Topton Borough Council met on Monday December 11<sup>th</sup>, 2017 at 7:00 P.M. at Borough Hall for the regularly scheduled monthly meeting and public hearing. The meeting was called to order by Council President Mr. Stauffer with the Pledge of Allegiance.

Roll call was taken and the following members were present Mr. Stauffer, Mr. Biltcliff, Mr. Beck, Mr. Arndt, Ms. Lorah, Mr. Jost and Mr. Gehman. Borough Manager Marcus Dolny and visitors were also in attendance. Mr. Wagaman was absent.

**APPROVAL OF MINUTES**

On a motion by Mr. Gehman, seconded by Mr. Beck the minutes of November 13<sup>th</sup>, 2017 were approved unanimously.

**COMMUNICATIONS**

Mr. Dolny gave an update on the Cable Franchise Public Hearing that was held prior to tonight's council meeting. Mr. Dolny explained the next steps that will take place. More information will be given as available.

**Mayor's Report**

Mayor Biltcliff commended the great turnout at the annual tree lighting.

**HEARING OF VISITORS**

Mr. Rauenzahn questioned when the next Planning Commission meeting will be to discuss the possible zoning ordinance change in regards to sheds.

**Solicitor's Report**

Solicitor London requested an executive session to discuss litigation matters with Longswamp Township.

## **Secretary's Report**

Mr. Dolny updated council on recent grants and donations it has received towards Project PRO.

Mr. Jost made a motion to accept and adopt Ordinance 5-2017, setting the Tax Rate for 2018 with a .5 millage increase. Mr. Arndt seconded this motion and it passed unanimously.

Mr. Jost made a motion to accept and adopt the 2018 budget. Mr. Arndt seconded this motion and it passed 5 to 1 with Ms. Lorah in the negative.

Mr. Dolny presented a proposal received from American Legal Publishing for the codification of the Borough of Topton's ordinances. Ms. Lorah made a motion to accept the proposed quote from American Legal Publishing. Mr. Jost seconded this motion and it passed unanimously.

Mr. Jost made a motion to give all Borough employees December 26<sup>th</sup> off as a paid holiday. Mr. Arndt seconded this motion and it passed unanimously.

Mr. Arndt made a motion to close the office to the public December 27<sup>th</sup> – December 29<sup>th</sup> for end of the year reconciliation. Mr. Jost seconded this motion and it passed unanimously.

## **COMMITTEE REPORTS**

### **Public Affairs Committee – (Mr. Stauffer)**

Mr. Stauffer recognized the dedication and showed his appreciation of our 3 council members, Mr. Wagaman, Mr. Arndt and Mr. Gehman, that will be stepping down at the end of this year.

Mr. Stauffer also reminded Council and the public that the first meeting of the year will be on Tuesday January 2<sup>nd</sup>, 2018 at 7:00PM for reorganization. The first official Borough Council meeting of 2018 will be held on January 8<sup>th</sup> at 7:00PM.

### **Personnel Committee – (Ms. Lorah)**

None

### **Finance Committee – (Mr. Wagaman)**

Mr. Jost made a motion to pay bills as presented. The motion was seconded by Mr. Gehman and passed unanimously.

**Property Committee – (Mr. Jost)**

Mr. Jost noted that the public works department did a great job over the weekend with salting and plowing the Borough during our first snow storm of the season.

**Parks & Recreation Committee – (Mr. Beck)**

Mr. Beck spoke about possibly creating a steering committee for the Topton Mini Museum.

**Streets Committee – (Mr. Arndt)**

None

**Utility Committee – (Mr. Gehman)**

None

**Engineer's Report**

**1. Sewage Treatment Plant**

The DRBC has notified Russ that they do not have an Emergency Response Plan on file for the Topton Sewage Treatment Plant and they provided Russ with the Plan Requirements. Russ has checked the Borough's Emergency Response Plan and has found that it does not address all DRBC's requirements. BIA is assisting Russ with the update.

**2. NPDES Permit Renewal**

The permit has not yet been issued, but is now being reviewed. It has now been over a year and a half since the application was submitted:

Permit Expiration: 8/31/16

Permit Application Due: 3/4/16

Renewal Submittal 2/25/16, additional information submitted 3/15/16.

Additional Information Requested: 11/15/17 via email, requesting additional testing and answers to several questions

Anticipated Submittal of Requested Data: Mid-January 2018

**3. Toad Creek Improvements**

The Wetland delineation has been completed and the Army Corp will complete a Preliminary Jurisdictional Determination (PJD) in the near future. The PJD will be sufficient to appease the DEP's concerns about wetlands within the creek channel. Isett is addressing some of the drafting comments in the DEP's review letter. Also, Alex Ulmer, of Isett, is attempting to address the non-issues, with the DEP reviewer, prior to taking further action on issues that had been resolved once already. Until some of these issues are clarified, it is not clear if the January 8, 2018 resubmission deadline can be met, or if an extension will be required.

**4. Borough Park Master Site Plan**

The Master Site Plan is completed and Isett continues to search for grant opportunities to implement the plan.

## **5. DEP MS-4**

BIA has not received any updates or comments from DEP regarding the NOI application at this time. There are indications that DEP has started to review the applications, as some municipalities in other Districts have received letters from DEP regarding their applications. BIA does not anticipate DEP to issue the new MS4 NPDES permits until February – March of 2018.

As a follow up to the Stream Restoration workshop on 12/11, Christine Mildner of Isett is scheduled to meet with Marcus on 12/14 to review the information and discuss a preliminary outline of MS4 initiatives for 2018.

## **6. WWTP Recycled Water Project**

Pre-construction meeting 11/16/17  
Notice to Proceed on Recycled Water Line 12/11/17  
Contract Date for Substantial Completion 2/10/2018 60 days  
Contract Date for Final Completion 3/12/2018 90 days  
Materials will be arriving on site Week of 12/11/17  
Start Construction work Week of 12/18/17  
Contract #1 Bellview Pump \$13,700.00  
Contract #2 Bellview Pump \$45,950.00

## **7. Barkley Street Sewer Rebuild Project**

Have received contract documents from DOLI Construction for execution.  
Anticipate Notice to proceed for Early January 2018  
Contract time is (based on anticipated NTP):  
90 days to Substantially Complete Early April 2018  
120 days to Finally Complete Early May 2018  
Contract Value: \$179,220.00

## **8. 2017 Sanitary Sewer Cleaning and Televising Project**

Working with Mr. Rehab on contracting.  
Anticipate notice to proceed to be issued in March of 2018.  
Contract time is (based on anticipated NTP):  
90 days to Substantially Complete June 2018  
150 days to Finally Complete August 2018  
Contract Value: \$ 91,321.55

## **9. 2013 Sludge Hauling Contract**

Presenting a Change Order (#1) to extend the contract for another year (final year called for contract). Includes a pass through of cost increase and cost structure changes levied by LCA. Cost increase is \$0.11/gallon; with 855,000 gallons hauled, this is an increase of \$8,550 on a total bill of \$67,545 or a 14.7% increase.

Mr. Gehman made a motion to accept the change order to extend the sludge hauling contract for another year with a \$.011 increase. Mr. Arndt seconded this motion and it passed unanimously.

## **Old Business**

None

**Executive Session – Legal/Personnel**

Entered: 7:44PM on motion by Mr. Beck, seconded by Ms. Lorah passing unanimously.

Exit: 8:19PM on motion by Ms. Lorah, seconded by Mr. Gehman passing unanimously.

**ADJOURNMENT**

Council adjourned at 8:20PM on a motion by Mr. Gehman, seconded by Mr. Lorah.

Reorganizational will be held on January 2<sup>nd</sup>, 2018 at 7:00PM.

The first official Borough Council meeting of 2018 will be held on January 8<sup>th</sup>, 2018 at 7:00PM.

Respectfully Submitted  
Sherry Palinkas  
Administrative Assistant