

**MINUTES OF THE  
TOPTON BOROUGH COUNCIL  
Monday December 10, 2018**

Members of the Tipton Borough Council met on Monday December 10<sup>th</sup>, 2018 at 7:00 P.M. at Borough Hall for the regularly scheduled monthly meeting. 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, Mayor Biltcliff, Mr. Beck, Ms. Lorah, Mr. Jost, Ms. Kunkel, Mrs. Moll and Mr. Miller. Borough Manager Mr. Dolny and Solicitor London and visitors were also in attendance.

**APPROVAL OF MINUTES**

On a motion by Mr. Beck seconded by Mrs. Moll the minutes of November 12<sup>th</sup>, 2018 were approved unanimously.

**COMMUNICATIONS**

Mr. Dolny shared a request received from Heather Wicke and Girl Scouts to hold their annual cookie drive at the Tipton Memorial Pool parking lot on January 19<sup>th</sup> and 26<sup>th</sup>, February 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup> and 23<sup>rd</sup>, March 2<sup>nd</sup> and 10<sup>th</sup>. Ms. Lorah made a motion to approve this request. Mr. Miller seconded this motion and it passed unanimously.

**Mayor's Report**

No Report

**HEARING OF VISITORS – Pennsylvania State Police**

Pennsylvania State Police Representative Corporal Matthew Klein was in attendance to answer and address concerns of residents on Furnace Street regarding suspicious activity including possible drug dealing.

Mr. Tim Stauffer addressed Corporal Klein with his and other residents' concerns regarding this matter.

Mr. Ryan Shuey spoke regarding his concerns of unknown vehicles driving on Furnace Street.

Mr. Rich Ehrie also addressed the residents concern of an individual living in the woods at the east end of Furnace Street. Pennsylvania State Police and Borough Manager Mr. Dolny will look into this matter further.

Corporal Klein gave an update on the records he had reviewed from previous complaint calls received on this matter. He also noted that Pennsylvania State Police will increase patrol in these

areas and will continue to monitor records and complaints received.

Borough Manager Mr. Dolny and Council President Mr. Stauffer recommended to the community to continue placing calls to 911 and provide as much information as able to while keeping safety in my mind.

### **Solicitor's Report**

Mr. Miller made a motion to ratify Solicitor London's filing of an Answer in the PA Supreme Court to the Petition for Allowance of Appeal filed by the Berks-Lehigh Regional Police Officers Association in the Police Association appeal. The Petition was filed on November 14, 2018, after our last meeting, and Answer had a deadline date of November 28, 2018. This motion was seconded by Ms. Kunkel passing unanimously.

### **Secretary's Report**

Mr. Dolny notified Council members that the Borough of Topton was awarded a grant in the amount of \$350,000 from DCNR for Project Pro.

Mr. Dolny gave an update on the Animal Rescue League matters regarding fees for service. No action will be taken at this time.

Mr. Dolny shared that he has received word that the Land Swap between Mr. Robert Blanchard and the Borough of Topton should be addressed in early January.

Ms. Lorah made a motion to authorize Solicitor London to prepare Ordinance 1-2019, setting the Borough's Auditor as RKL. Mr. Beck seconded this motion passing unanimously.

Mr. Miller made a motion to close the office to the public for end of the year reconciliation December 26<sup>th</sup> – December 28<sup>th</sup>. Ms. Lorah seconded this motion and it passed unanimously.

Mr. Dolny asked council for permission to closeout all business of 2018. Mr. Beck made a motion giving Mr. Dolny the permission to closeout all remaining business of 2018. Mrs. Moll seconded this motion and it passed unanimously.

Mr. Dolny also shared with Council that two of the Public Works vehicles were involved in a minor collision during the snow storm in November. No employees were injured and all repairs have been made to the damaged vehicle.

### **COMMITTEE REPORTS**

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

Mr. Stauffer invited all Council member and Borough employees to a holiday luncheon on Wednesday December 26<sup>th</sup>, 2018 at 12:30pm at Valentino's.

#### **Personnel Committee – (Mrs. Moll)**

No Report

**Finance Committee** – (Ms. Kunkel)

Ms. Kunkel made a motion to pay bills as presented. The motion was seconded by Mrs. Moll and passed unanimously.

Mr. Miller made a motion adopting Ordinance 6-2018, setting the Tax Rate for 2019.

Ms. Kunkel seconded the motion passing unanimously.

**Property Committee** – (Mr. Jost)

No Report

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

Mr. Miller discussed the meeting that was held with the Parks and Recreation Committee.

**Streets Committee** – (Ms. Lorah)

No Report

**Utility Committee** – (Mr. Beck)

No Report

**Engineer's Report**

**1. Sludge Hauling Contract**

We contacted Millers Sanitary Service and they advised us that the Contract was sent to their Insurance Agency during the week of November 26<sup>th</sup>. As soon as they receive the certificate of insurance and the bonds back from their Insurance Agency, they will forward everything to the Borough so that the Contract can be executed.

**2. Sewer Metering**

On October 13<sup>th</sup>, W. G. Malden re-calibrated the flow meters at the treatment plant. Alex explained to them the issue that was occurring with the influent meter and he is not sure exactly what they did during their re-calibration; however, since that date the influent meter readings have been much more in line with the effluent meter readings. Prior to the recalibration the influent was yielding results that were in the range of 60,000 to 80,000 gpd. From October 13 through November 20<sup>th</sup> the range has been between 10,000 and 17,000 gpd. We will continue to monitor the meter readings.

On November 8<sup>th</sup>, Dharmendra Kumar of DEP sent a letter stating that the 2017 Wasteload Management Report was acceptable and asked for justification for the organic loading exceedance during September. The results of the flow meter calibrations will be useful in addressing this issue.

3. **Toad Creek Improvements**

The DEP has finally issued the wetland permit for the Toad Creek Project. However, a number of special conditions were appended to the permit that restricts the construction period between January 1<sup>st</sup> and March 31<sup>st</sup>. To address this issue Isett has approached the ACOE to perform a Bog Turtle Habitat Assessment. The report was issued at the end of October. The Corps report was submit this to the US Fish & Wildlife Services and the US F&WS was contacted. They will be issuing a letter clearing the site of Bog Turtle issues. In the meantime, a letter was sent to the DEP requesting that the permit be modified to increase the construction period, with USFWS approval. It is hoped that all of these can be completed this year. That would permit bidding the project during the winter and being able to start as soon as the weather permits.

4. **DEP MS-4**

Isett prepared an MS4 binder for the Borough. The binder compiles copies of the Borough's permit, DEP template forms used during the annual report cycles, stormwater map, and other important information useful for the Borough. The binder is intended to be a resource to the Borough when needing forms and templates.

Isett attended the 2018 Stormwater Conference hosted by PSATS in Plymouth Meeting on 11/16/18 and focused on sessions related to streambank restoration. Isett is working on a summary to identify important items discussed for the Borough. The topics covered included qualifications for stream restoration, selection of restoration practices, and how to calculate restoration credits for DEP.

The next Berks MS4 Steering Committee meeting at Berks Nature is anticipated to be the 3<sup>rd</sup> Thursday in January.

5. **Park Improvements**

Bryan is meeting with Marcus to plan the next steps in the Park improvements.

6. **Sewer Rehabilitation**

We are with Alex and Marcus to review recommendations for lines and manholes for remediation and will present a package representing approximately \$600,000 in remediation/repairs representing Phase 1 of the rehabilitation of the sewers. Total cost is projected to be in the neighborhood of \$1M.

7. **Barkley Street Sewer Rebuild Project**

Contract documents with DOLI Construction have been executed.

Notice to Proceed for February 12, 2018

90 days to Substantially Complete

May 13, 2018

120 days to Finally Complete

June 12, 2018

CO#2 includes a 90 day contract extension

(8/12/18 & 9/11/18)

Original Contract Value:

\$179,220.00

Change Order #1 (laterals)

+\$12,284.00

Revised Contract Value

\$191,504.00

Change Order #2 Request – service conflicts

+\$6,887.68

Potential Revised Contract Value

\$198,491.68

Final Pay Application Amount

**\$198,813.54**

Contractor has completed work.

Access Ramps and final paving to be bid in the winter for spring construction work.

**Old Business**

None

**Executive Session**

Entered: 8:00PM on motion by Ms. Lorah, seconded by Mr. Miller passing unanimously.

Exit: 8:25PM on motion by Mr. Miller, seconded by Ms. Lorah passing unanimously.

Ms. Kunkel made a motion to adopt the 2019 budget. Mr. Beck seconded this motion and it passed unanimously.

**ADJOURNMENT**

Council adjourned at 8:28PM on a motion by Ms. Lorah, seconded by Mr. Beck.

Next Borough Council meeting will be held on January 14, 2019 at 7:00PM.

Respectfully Submitted  
Sherry Palinkas  
Administrative Assistant