

**MINUTES OF THE  
TOPTON BOROUGH COUNCIL  
*Monday June 8, 2020***

Members of the Tipton Borough Council met on Monday June 8, 2020 at 7:00 P.M. for the regularly scheduled monthly meeting with guest attending virtually via Zoom. The meeting was called to order by Council President Ms. Kunkel with the Pledge of Allegiance.

Roll call was taken and the following members were present Mayor Biltcliff, Ms. Kunkel, Ms. Lorah, Mrs. Moll, Mr. Bower, Mr. Beck, Mr. Stauffer and Mr. Jost. Solicitor London and visitors were also in attendance.

**APPROVAL OF MINUTES**

On a motion by Mr. Jost, seconded by Mrs. Moll the minutes of May 27, 2020 were approved unanimously.

**POLICE REPORT**

Chief Stinsky was present for questions and provided a patrolling report for the month of May by Fleetwood Police within the Borough of Tipton.

**HEARING OF VISITORS**

Ms. Corrina Brown representing the swim team Tipton Torpedos approached council to see if they would reconsider the closure of the Tipton Memorial Pool. After discussion Council informed Ms. Brown and other visitors that the decision to keep the pool closed for the 2020 season stands and feels it is in the best interest of the community.

Mr. Bob Blanchard spoke to council regarding his concerns of verbal agreements he had with Mr. Dolny. His concerns were in regards to the curbing and sidewalk at his property, maintaining the property line on the creek bank, a list of plants to be planted and the drop off to be back filled in order for Mr. Blanchard to be able to cut to his property line. Mr. Stauffer set up a meeting between Mr. Blanchard and Scott Steltz, public works supervisor, to discuss these matters.

Mrs. Kristin Apgar spoke to council in her support to reconsider opening the pool. Council reiterated that the Tipton Memorial Pool will not be opening for the 2020 season. Mrs. Apgar also questioned when the park project would be complete and reopening. Council responded the project is set to be completed by the middle of July.

Mr. Robert Rauenzahn inquired with council if the position of Borough Manager is open. In response council noted they are still working on how they are handling this position. Mr. Rauenzahn also requested the total amount of the park project as well as the amount of grants the borough has to contribute to this project. The information was not readily available and borough council requested it be researched and placed in these minutes.

Total park project cost (accepted bid): \$626,319.00  
Total grants towards this project: \$450,000

## **COMMUNICATIONS**

Mrs. Kunkel shared with council and visitors information received from Friends, Inc. They requested the public be informed they are available for families in need of food or financial help during these difficult times.

Mrs. Moll made a motion to grant the request received from Brandywine Community Library seeking the usage of the borough parking lot located in front of the pool for a temporary pick-up and drop off of library supplies. Ms. Lorah seconded this motion passing unanimously.

Mr. Jost made a motion to accept the request made by Boy Scout Pack 510 to use the grass area of the BYBA main field for a campout while adhering to all CDC guidelines and recommendations. Mrs. Moll seconded this motion passing unanimously.

## **MAYOR'S REPORT**

Mr. Stauffer made a motion to approve the continuation of weekly Disaster Declarations until further notice as needed. Mr. Jost seconded this motion passing unanimously.

Mayor Biltcliff shared and requested the continuing support of the fundraising efforts for the Topton Fire Company.

## **SOLICITOR'S REPORT**

Ms. Lorah made a motion to adopt Ordinance 3-2020, enacting and ordaining a code of ordinances. Mrs. Moll seconded this motion passing unanimously. Prior to passing of motion Mr. Bob Rauenzahn expressed his concern and asked for the removal of the term regarding special rights in this ordinance. Council was asked if they would like to take action on this request by Mr. Rauenzahn and there was no motion made to amend the ordinance.

Mrs. Moll made a motion to authorize Solicitor London to advertise the post enactment for the ordinance codification. Ms. Lorah seconded this motion passing unanimously.

Solicitor informed Council that the settlement date for the property located at 229/231 West Weis street is scheduled for June 22<sup>nd</sup>, 2020.

## **COMMITTEE REPORTS**

### **Public Affairs Committee – (Ms. Kunkel)**

Mrs. Kunkel discussed with council regarding conference room usage for outside organizations. After further discussion council made a decision at this time to prohibit the use of the conference room to all outside organizations.

### **Personnel Committee – (Mr. Stauffer)**

Councilmember Mr. Stauffer expressed dissatisfaction of the handling of matters regarding Borough Manager Marcus Dolny.

Mr. Stauffer made a motion to remove Ms. Monica Kunkel as Council President. Mr. Jost seconded this motion passing with a 4 to 2 vote. A roll call vote was taken:

Mr. Bower – yes

Mr. Stauffer – yes

Mr. Jost – yes

Mr. Beck – yes

Ms. Lorah – no

Mrs. Moll – no

Mr. Stauffer made a motion to nominate Mr. Bower as Council President. Mr. Beck seconded this motion.

Mr. Stauffer made a motion to close these nominations. Mr. Beck seconded this motion.

Mr. Bower was voted in as Council President after a 4 to 3 vote. A roll call was taken.

Mr. Bower – yes

Mr. Stauffer – yes

Mr. Jost – yes

Mr. Beck – yes

Ms. Lorah – no

Mrs. Moll – no

Ms. Kunkel – no

Mr. Stauffer made a motion to nominate Mr. Beck as Council Vice President. Mr. Jost seconded this motion.

Mr. Stauffer made a motion to close these nominations. Mr. Jost seconded this motion.

Mr. Beck was voted in as Council Vice President after a 4 to 3 vote. A roll call was taken.

Mr. Bower – yes

Mr. Stauffer – yes

Mr. Jost – yes

Mr. Beck – yes

Ms. Lorah – no

Mrs. Moll – no

Ms. Kunkel – no

Mr. Stauffer made a motion to reinstate employment for Marcus Dolny as Borough Manager. Mr. Bower seconded this motion passing with a 4 to 3 vote. A roll call was taken.

Mr. Bower – yes

Mr. Stauffer – yes

Mr. Jost – yes

Mr. Beck – yes

Ms. Lorah – no

Mrs. Moll – no

Ms. Kunkel – no

Mr. Stauffer made a motion to move Ms. Sherry Palinkas and Mrs. Trynda Schoonover to part time status immediately until June 30<sup>th</sup>, 2020 with full benefits and beginning July 1<sup>st</sup>, 2020 they would be on call employees as needed by Borough Manager Marcus Dolny. Mr. Beck seconded this motion. A roll call vote was taken.

Mr. Stauffer – yes

Mr. Jost – yes

Mr. Beck – yes

Ms. Lorah – no

Mrs. Moll – no

Ms. Kunkel – no

Council President Mr. Bower requested to table this motion until after speaking with Mr. Marcus Dolny to seek his decision of interest in returning to the Borough of Topton as Borough Manager.

Ms. Sherry Palinkas questioned Mr. Stauffer to the reasoning of the removal of herself and Mrs. Schoonover as full time employees. Mr. Stauffer responded that Ms. Palinkas and Mrs. Schoonover are not good fits for the positions and there would be a conflict within office staff upon Mr. Dolny returning to his position.

**Finance Committee – (Mrs. Moll)**

Mrs. Moll made a motion to pay the bills as presented. Ms. Kunkel seconded this motion passing unanimously.

Mrs. Moll informed council payment was made as requested for the sewer rehabilitation project.

Mrs. Moll shared with Council that the Borough had received 50% of their refund of the 2019 health insurance premiums. Mrs. Moll made a motion to refund the employees their contributions towards the insurance premiums as noted below. Mr. Stauffer seconded this motion and it passed unanimously.

Marcus Dolny - \$1318.72

Troy Fairchild - \$1318.72

Jesse Kemp - \$1318.72

Scott Steltz - \$1318.72

Sherry Palinkas - \$1318.72

Alex Lord - \$1318.72

Sean Ward - \$1318.72

Mrs. Moll discussed the need for a motion to update the signers for the accounts with ESSA Bank. This matter was tabled and will be addressed at the July meeting.

Mrs. Moll made a suggestion that the Borough consider hiring an outside accounting firm to help rectify and bring all accounting matters up to date. Council requested Mrs. Moll to inquire on possible companies and the cost to the Borough.

**Property Committee – (Mr. Jost)**

No Report

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

Mr. Bower discussed with Borough Council the request for local sport teams to resume using borough recreational fields. After discussion council decided to prohibit the use of these fields and will revisit this matter at the July meeting.

Mr. Bower also spoke regarding all borough events currently planned for the month of July. Council chose to cancel all events scheduled by the Borough of Topton for the month of July. Events scheduled beyond July will be discussed at the July meeting.

Mr. Bower made a motion to name Mrs. Trynda Schoonover as the Local Project Coordinator for the DCNR grants for the park project. Ms. Lorah seconded this motion passing unanimously.

Mr. Bower made a motion to accept the change order for the remediation that is needed for the park project as presented by Barry Isett & Associates. Mr. Jost seconded this motion passing unanimously.

**Streets Committee** – (Ms. Lorah)

Public Works employees discussed the repair work they have been conducting on potholes within the borough.

**Utility Committee** – (Mr. Beck)

No Report

**ENGINEER'S REPORT**

**1. Annual Reporting**

PADEP:

The Chapter 94 report was submitted to DEP on March 17, 2020, a copy is available at the wastewater treatment plant.

DRBC:

The Annual Effluent Monitoring Report was submitted to the DRBC on January 15, 2020. A copy of this report is available at the treatment plant.

**2. DEP MS-4**

No changes this month with annual task services. Reminder that any items intended for MS4 credits that are completed by June 30<sup>th</sup>, will be eligible and counted in the Borough's 2019-2020 annual report to DEP. Annual reports due to DEP by September 30, 2020.

**3. Fisher Property/ 315 E Smith St**

In a June 4<sup>th</sup> email to BIA, Mrs. Fisher inquired if the Borough had conducted any reviews or work regarding her property concerns. BIA replied to Mrs. Fisher's concerns explaining that information was provide to the Borough and that the item was placed on the agenda for Council discussion.

**4. Topton Transportation Alternatives Trail Connection Project**

Plan layout and details are being completed for resubmission to PennDOT. Coordinating with the bridge manufacturer for layout and design of the bridges.

**5. Sewer Rehabilitation**

Project was awarded to National Water Main Cleaning for \$524,290.85.

Project Schedule:

Pre-Construction Meeting - 6/28/19  
Notice to Proceed – 7/1/19  
Substantial Completion Date - 12/28/19  
Final Completion Date – 1/27/20

Original Contract Value:	\$524,290.85
Change Order #1 (Additional Road Patching)	+\$7,500.00
Change Order #2 (Quantity Revisions)	-\$64,867.00
Change Order #3 (Manhole Repairs)	+\$5,000.00
Revised Contract Value	\$471,923.85

Contractor has completed work; Final pay request is in process. Contractor is scheduling to come out and repair lawn damaged by the project

**6. New Public Water Well**

A field meeting was scheduled March 20 to review potential well sites, due to the issuance of the Governor’s orders, the meeting has been postponed, will reschedule in June now that restrictions have loosened.

**7. Topton Park Improvements**

Anticipated Contract Schedule is as follows:

Construction – Approximately 20% complete, with light pole foundations and some concrete sidewalk installed. Five field reports (plus one Special Inspections Report) have been filed, including photos documenting progress.

Substantial Completion – July 13, 2020 per Council’s vote granting Contractor’s extension request. Contractor anticipates delays based on COVID-19 impacts to material suppliers but has not yet requested a specific date.

Final Completion – July 20, 2020 per Council’s vote granting Contractor’s extension request.

**8. Topton Pool/Recreation Center Feasibility Study**

Project is being coordinated by the study committee.

**9. Transfer of Sewer Lines from Longswamp Township to Topton**

Charley spoke with Jill Smith on April 7, 2020 and she indicated that they are in the process of putting the final parts of the rehabilitation work out to bid, she will let me know when they have it out and the schedule.

## **10. WWTP Flood Protection**

Faddis was notified that the Borough had accepted their proposal to supply 168' of concrete barriers for a price of \$7,999.20. They required correspondence from the Borough which was arranged through the Borough office and subsequent to a credit check, they processed the order on June 4, The Kutztown facility will be making arrangements for delivering the concrete barriers to the sewage treatment plant and will contact Alex Lord to make arrangements for delivery. They did not provide a target date for when delivery will be made which is anticipated to be in several weeks.

## **11. Pavement Condition Evaluation Report for Croll Street, Penn Street, Hoch Avenue and Main Street**

The report was completed, submitted and was discussed at the last council meeting. A subsequent tar & chip letter outlining the pros & cons of tar & chip was sent to the Township Manager on November 7, 2019 to assist in the Borough's decision to use tar & chip. Tar & chip is normally to be used on 'low volume' roadways. From site observations during the midday in September, Croll Street and Hoch Avenue can be considered 'low volume'. Traffic counts could be utilized to confirm the visual observation.

## **12. Washington Street Pumping Station**

Fieldwork is complete. Preliminary design has been started. The existing station appears to be sited on an easement, so to place a new one, one of two methods would be needed:

- (1) Replace in Place – no new property rights needed
- (2) Replace beside the existing – additional area needed for installation

At this time, we are speaking with several manufacturers about the possibility of installing the new basin within the structure of the existing basin (at least partially), thereby reducing excavation/demolition cost and downtime.

## **OLD BUSINESS**

None

## **ADJOURNMENT**

Council adjourned at 9:34PM on a motion by Ms. Lorah, seconded by Mrs. Moll.

Next Borough Council meeting will be held on July 13<sup>th</sup>, 2020 at 7:00PM.

Respectfully Submitted  
Sherry Palinkas  
Administrative Assistant