

**MINUTES OF THE
TOPTON BOROUGH COUNCIL
MONDAY, February 10, 2014**

Members of the Topton Borough Council met on Monday February 10, 2014 at 7:31 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, Mr. Jost, Mr. Wagaman, Mr. Gehman, Mr. Arndt, and Mayor Biltcliff. Also in attendance were Borough Secretary Marcus Dolny, Solicitor Joan London, Engineer Ryan Kern, and visitors.

APPOINTMENT OF VACATED COUNCIL SEAT

Prior to the beginning of the meeting, Borough Council met with interested candidates in an open advertised session. Candidates were in order of appearance: Alane Falcone, Michelle Lorah, and Leon Moyer.

Motion to Appoint Leon Moyer made by Mr. Arndt and seconded by Mr. Gehman fails 2 to 4, roll call vote as follows:

Wagaman:	NO	Gehman:	YES
Jost:	NO	Beck:	NO
Arndt:	YES	Stauffer:	NO

Motion to Appoint Michelle Lorah made by Mr. Beck and seconded by Mr. Wagaman passes 4 to 2, roll call vote as follows:

Wagaman:	YES	Gehman:	NO
Jost:	YES	Beck:	YES
Arndt:	NO	Stauffer:	YES

APPROVAL OF MINUTES

On a motion by Mr. Gehman, seconded by Mr. Arndt the minutes of January 13, 2014 were approved unanimously.

COMMUNICATIONS: Mr. Dolny regrettably informed council that we were notified to no longer be in the running for two of the grants we applied for regarding Toad Creek. However, there is option to rework and re-apply. This will be done with borough engineers.

HEARING OF VISITORS:

Dennis Seibert: Clarification regarding sewer lateral, servicing his property on 21 S. Home Ave. The matter was tabled until more information could be gathered to be presented to council.

Alane Falcone: Submitted a letter to Borough Council for inclusion in the public record. The letter will be included as part of pertinent documents relating to the council meeting.

Monica Kunkel: Inquired about ownership of small area of grass next to Weis Street municipal parking lot and if it was required to shovel grass. Council does not believe there is any enforceable measure to require grass to be shoveled in the borough, but the office would double check.

Art Hahn: Asked for better communication regarding the conclusion of posted snow emergencies, and asked the council and borough office to look into better coordination with residents for plowing.

Leonard Schleicher: Questioned why sidewalks still haven't been shoveled. Mr. Dolny recognized the issue and explained the lengthy process for enforcement of the current ordinance. Also stated the borough office is working on a new ordinance that would enable immediate action to take place. Mr. Schleicher, also inquired about the addition to the Keller St. maintenance building and what it was being used for.

Robert Rauenzahn: Inquired where residents are supposed to park if alleys aren't being better cared for regarding snow and ice removal.

Leon Moyer: Questioned if the Borough was out of road salt and if we would be prepared for the upcoming storm.

COMMITTEE REPORTS

Personnel Committee – (Mr. Stauffer)

Previously advertised ordinance 1-2014 was brought to the table abolishing the position of Borough Manager. On motion by Mr. Jost and seconded by Mr. Wagaman the ordinance passed unanimously.

Excellence in Local Government Berks County looking to re-establish the Boroughs and Mayors Association, Mr. Stauffer asked for a volunteer to serve as the delegate. Appointment was tabled.

Finance Committee – (Mr. Wagaman)

Mr. Wagaman made a motion to pay the bills as presented. Mr. Jost seconded the motion and it was approved unanimously.

Property Committee – (Mr. Jost)

Mr. Jost stated the addition to the maintenance is 95% complete and ready for final inspection.

Mr. Stauffer asked about the building of a secure room at 44 W. Keller using existing materials that would enable the expansion of Topton's Mini Museum into the old council room. On motion by Mr. Jost, seconded by Mr. Beck, passing unanimously the expansion and construction was allowed.

Mr. Jost wants to look into options for excess filing cabinets.

Parks & Recreation Committee – (Mr. Beck)

No Report

Streets Committee – (Mr. Arndt)

Mr. Stauffer stated a resident complained of people parking in front of an access ramp located in front of Jak's Downtown Diner on 9 Centre Ave. Asked if this can be reviewed for future a meeting.

Utility Committee – (Mr. Gehman) –

No Report

Public Affairs Committee – (Ms. Lorah) –

No Report

Mayor's Report –

Mr. Biltcliff announced he is now the new chairman of the police commission. The commission is still waiting on PMRS to give figures regarding the pension funding. And stated that Maxatawny did not attend the meeting again.

Secretary's Report

In reference to zoning review the Planning commission will be meeting on the 4th Wednesday of each month starting February 26, 2014 at 7:00PM.

Mr. Dolny asked for council's permission to send public works foreman Scott Steltz to a three day conference in Hershey. On motion by Mr. Arndt and seconded by Mr. Wagaman the request passed unanimously.

Mr. Dolny asked for council's permission to attend the Annual Borough's conference in April. On motion by Mr. Jost and seconded by Mr. Wagaman the request passed unanimously.

Mr. Dolny reported a safety issue regarding one of the white trucks rear lights and markings and lack of visibility while salting. On motion by Mr. Jost and seconded by

Mr. Arndt to purchase a light bar from Grim's Trailers the request passing 5 to 1 with Mr. Gehman voting in the negative.

Mr. Dolny asked for permission to use allotted Liquid Fuels Equipment funds to purchase a plow and snow blower attachments for the skidster. On motion by Mr. Jost and seconded by Mr. Gehman the request passed unanimously.

Solicitor's Report

Ms. London reported on the following:

- Longswamp Township's intentions to amend/withdraw from the Eastern Berks Regional Joint Comprehensive Plan.

Ms. London asked for permission to attend the County's meeting on behalf of the Borough. On motion by Mr. Gehman and seconded by Mr. Arndt the request passed unanimously. Mr. Stauffer and Mr. Beck will also attend.

Council also instructed Ms. London to draft a letter asking Longswamp to postpone their actions.

Engineer's Report

1. Broad Alley Culvert

Chapter 105, General Permit Registration was submitted to the DEP Central Office on June 20, 2013. This registration was for a GP-8 (Temporary Road Crossings) and a GP-11 (Maintenance, Testing, Repair, Rehabilitation, or Replacement of Water Obstructions and Encroachments). Spoke to Bob Graves of DEP on Tuesday, October 8th. Finalized coordination with DEP and received approval via e-mail. Awaiting direction from the Borough.

2. Reed Beds

The reed beds will remain off line; cleaning the beds is scheduled to begin in March, weather permitting.

3. Sewage Treatment Plant Copper Limit

BIA will prepare a study plan for the Biotic Ligand Model (BLM) as authorized by Borough Council; the study plan must be approved in advance by DEP.

4. Sewage Treatment Plant influent Screen

Bonnie Boylan at DEP has advised that a Water Quality Management Permit is required. BIA has prepared the permit application and we have received the check for the \$500 application fee. Act 14 notification was sent out to Berks County on February 1, 2014 via Return Receipt Mail; as of this date the return receipt card has not been received. USPS tracking last showed the notification as being in Harrisburg on February 4th. A new notification will be sent tomorrow, if the return receipt card does not come in the mail.

5. Annual Wasteload Management Report

The annual Wasteload Management Report for 2013 must be submitted to DEP by March 31, 2014. Russ has furnished our office with the data necessary for preparing this report. A draft report will be prepared and submitted to Russ for his review prior to submitting it to DEP.

6. Zoning Ordinance Update

BIA will be attending the 2/26 Borough Planning Commission to kick-off the Zoning update.

Mr. Kern also noted that work on the M&T Bank sidewalk not be started until the weather breaks expected to be in April.

Noted that as requested his firm prepared a fee schedule for the handling of UCC/Zoning matters for the Borough moving forward.

Old Business

- Trash & recycling program – tabled until March 2014
- Quality of Life Ordinance – tabled until March 2014 pending review of language in ordinance

Executive Session

On a motion by Mr. Wagaman seconded by Mr. Jost, Council entered into executive session at 9:04 PM to discuss personnel issues.

On a motion by Mr. Wagaman seconded by Mr. Jost, Council reconvened the regular meeting at 9:25 PM

A motion was made that the Borough Council agree to and sign a General Release relating to the conclusion of Mr. Anthony Branco's employment by Mr. Jost, seconded by Mr. Gehman and passed unanimously.

At this juncture of the meeting President Stauffer turned control of the meeting over to Vice President Wagaman.

Mr. Stauffer made the motion to hire Mr. Robert Bennecoff at \$14.50 an hour, with a \$.50 increase at the conclusion of his probationary period and other incentives as laid out in his hiring letter. The motion was seconded by Mr. Arndt and passed unanimously.

ADJOURNMENT:

Council adjourned at 8:33 PM on a motion by Mr. Gehman, seconded by Mr. Beck

The next Borough Council meeting will be held on March 10, 2014 at 7:30 PM.

Respectfully Submitted

Marcus V. Dolny
Borough Secretary