

***MINUTES OF THE
TOPTON BOROUGH COUNCIL
MONDAY MARCH 14, 2016***

Members of the Topton Borough Council met on Monday March 14, 2016 at 7:01 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. Gehman, Ms. Lorah, Mr. Jost, Mr. Wagaman, and Mr. Stauffer. Borough Secretary Marcus Dolny, Solicitor London, Ryan Kern and visitors were also in attendance.

APPROVAL OF MINUTES

On a motion by Mr. Jost, seconded by Ms. Lorah the minutes of February 8, 2016 were approved unanimously.

COMMUNICATIONS:

The Fenstermacher's send a thank you note expressing their appreciation of our support for their son McKaide and his decision to serve our country.

Nine members of the Topton Volunteer Fire Company have completed the basic fire police course.

Toby Fritch	Jason Robinson	Troy Kemp
Randy Sicher	Steve Kline	Larry Snyder
Peter Moyer	Dann Ward	Scott Younger

Brandywine Girls Softball League and Autism Society of Berks inquired about donations for fundraisers. Not action was taken.

The Berks Municipal Officials Dinner was announced. Interested members of council should see Mr. Dolny for more information.

Joni Currie submitted a letter (included for the record) regarding matter of nuisances coming from her neighboring property, the Dollar General, such as tractor trailer parking, litter, and missing boarder plantings. Council asked Mr. Dolny to address the litter issue, and research the boarder plantings. Mr. Dolny will reach out to the owner regarding truck parking however, there is nothing found at this time that would cause the Borough to prevent the trucks from parking on the private lot.

Mr. Stauffer said he was offered a ticket for the annual meet the legislator's dinner if anyone was interested to please see him.

HEARING OF VISITORS:

Mr. Rollman asked if the Borough was working on offering digital copies of minutes and other documents. Mr. Dolny said that would be an addition to our services in 2016.

PRELIMINARY/FINAL PLAN APPROVAL – EAST PENN MANUFACTURING:

Plans were presented for the installation of a parking lot on the manufacture's property. Planning Commission previously had met and voted to recommend approval conditional on the requirements being met as stated in the review letter by Barry Isett. Mr. Kern stated that the planned were amended to meet these requirements and their firm was satisfied. They had issued a letter with conditions for approval and moving the project forward. Terry Naugle, engineer for the project from GVC, said they had already begun meeting those needed conditions. Mr. Wagaman made a motion to approve the plans contingent on meeting the noted conditions along with RESOLUTION 12-2016. The motion was seconded by Ms. Lorah and passed unanimously.

Mr. Jost along with Mr. Rollman, resident, expressed concerns over claimed stipulations when East Penn Manufacturing constructed a building previously. Mr. Dolny said that he would look into the matter.

COMMITTEE REPORTS

Public Affairs Committee – (Mr. Stauffer) –

Street Fair will be held on May 21, 2016 from 8:00 AM to 3:00 PM.

The borough will be providing Fire police for the event and helping out as we did last year with tables and trash collection. We will need a motion for the closure of Home Ave. from Weis Street to Franklin St., Smith St. from Croll St, to Pine Dr., and Broad Alley from Home Ave to Cherry St. The motion was made by Mr. Wagaman, seconded by Ms. Lorah and passed unanimously.

Personnel Committee – (Ms. Lorah)

Posting for the Administrative Assistant /Open Records Officer has closed, 142 submissions were received. 23 Applicants were considered and from that we will be interviewing 7 initially.

An amendment (included for the record) was prepared and presented to council to revise the employee handbook. A motion was made by Mr. Jost to accept these revisions, seconded by Mr. Gehman and passed unanimously.

Finance Committee – (Mr. Wagaman)

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

Property Committee – (Mr. Jost)

The Toolcat is in and working wonderfully.

Mr. Jost made a motion to sale the 91 GMC and plow by sealed bid. The motion was seconded by Mr. Gehman and passed unanimously.

Parks & Recreation Committee – (Mr. Beck)

Project “Pro” had successful second meeting and is on sechedule. The committee will meet on the 21st of March to continue the process.

Mr. Dolny asked for the council to end allowing private parties at the pool and change Saturday and Sunday’s closing time till 8:00PM. Motion was made by Mr. Wagaman to allow the changes, seconded by Ms. Lorah and passing unanimously.

Mr. Dolny that he is hoping for a settlement offer to finally put an end to the Pool Litigation.

Mr. Dolny asked council to pass a resolution regarding the DCNR Small Communities Grant. This would be the first step in the recreation revitalization process to address the tee ball field. A motion was made to pass RESOLUTION 11-2016 by Ms. Lorah seconded by Mr. Wagaman and passing unanimously.

Streets Committee – (Mr. Arndt) –

Regarding possible 2016 paving project Ryan Kern from Barry Isett presented a scope of work and cost estimate for their services (included for the record). Mr. Gehman made a motion to accept the proposal, seconded by Mr. Wagaman and passing unanimously.

Utility Committee – (Mr. Gehman) –

Mr. Gehman spoke in regards to the findings after the first wave of televising an estimated 5,000 linear feet of our sewer lines. We have one major repair that needs attention immediately. In addition we have estimated 22 minor areas of repair. Mr.

Gehman made the motion to solicit proposals for the repairs. The motion was seconded by Mr. Wagaman and passed unanimously.

Well #5 was outfitted with a variable speed pump and so far the results have been outstanding. We feel that this well can be put back online. The next step to doing so would be conducting a well test of the water at a cost of \$1,900.00. Mr. Wagaman made a motion to proceed with the test, seconded by Mr. Gehman and passing unanimously.

As previously presented Mr. Gehman made a motion to advertise the Back Flow Prevention Ordinance. The motion was seconded by Mr. Jost and passed unanimously.

Mayor's Report –

No Report

Secretary's Report

- Mr. Dolny brought the concerns of Gail Hirsch regarding the condition of the sidewalk at 112 E. Smith St (pictures included for the record). Ms. Hirsch feels the deteriorated condition is hazard. According to the Borough Engineer an ordinance can be on record to require a certain top surface or finishing coat. However, Topton does not have such an ordinance. No action was taken.
- Mr. Dolny asked council to allow for Solicitor London to go after Mr. Bennecoff for the remaining \$1,000.00 still owed regarding his classes the borough paid for before leaving his employment with us. Mr. Wagaman made a motion to pursue the matter legally, seconded by Mr. Jost and passing unanimously.
- Mr. Dolny brought to council's attention of a vacated property at 209 S. Haas St., and informed them he has made contact with the mortgage company.
- Mr. Dolny also stated that the property at 30 Klein Ave. is under assisted housing and working towards placing a new resident.

- Rick Carr asked for Topton's assistance in a project he's looking for funding for. Topton would just have to bring the majority of their leaves to Rodale. Council saw no problem with this.
- Mr. Dolny was happy to inform council that our Sewer Plant Operator, Russ Pilgert has been named operator of the year by PRWA.

Solicitor's Report

Keystate Publishers is ceasing operations. We will have to have our ordinance codification finished by another firm. Waiting to see what is returned.

Ms. London presented the settlement agreement for the Washington St. Huck Property. A motion was made by Mr. Jost, seconded by Mr. Gehman and passed unanimously.

Ms. London is still waiting for more information regarding negotiations regarding the Cable Services Agreement by Cohen Law Firm.

Ms. London would like to look into a proposed land swap instead of condemnation regarding the portion of Toad Creek located on Robert Blanchard's neighboring property. This would be in place of a standing easement. Mr. Jost made a motion to proceed, seconded by Mr. Gehman passing unanimously.

Engineer's Report

1. Sewage Treatment Plant – Copper Limit

No change in the copper limit as it has not been exceeded in nearly a year and a half. Russ will continue to closely watch the copper concentration and will tweak the chemical feed rates as we transition from winter to warmer weather.

2. Sewage Treatment Plant – Annual Reporting

The Annual Wasteload Management Report must be submitted to DEP by March 31, 2016. We will be meeting with Russ within the next week to review the report so that it can be submitted before the end of the month. There will be no projected overloads within the next five years.

3. Weather Protection for Influent Screen

Now that it appears that winter is behind us, the carport over the influent screen at the sewage treatment plant can be ordered and delivery and installation can be done. We still expect that the delivery time from date of order will be between 6 to 8 weeks.

4. Sanitary Sewer System I & I

During February, there were several events when the flows to the treatment plant exceeded the plant's capacity; below is a list of some of the dates where the flow was above the rated capacity of 300,000 gallons per day:

February 4 -	676,000
February 5 -	735,000
February 6 -	346,000
February 17 -	558,000
February 18 -	363,000
February 25 -	632,000
February 26 -	627,000
February 27-	358,000

During the events beginning on February 4 and again on February 25, all available storage tanks at the treatment plant were completely full and the plant could barely keep up with the high flow.

During the event on the 4th, 5th and 6th Russ went out into the sewage collection system and looked in key manholes so that he could identify problem areas. On February 4th, Utility Services Group, Inc. submitted a proposal to perform certain work including closed circuit television inspection of 5,000 feet of sewer main. On February 8th, Borough Council accepted USG's proposal for the television inspection and mobilization items at a cost of \$7,250.

USG was notified that they were authorized to do the TV inspections and had scheduled the work for February 17 and 18; however, they experienced equipment issues and could not complete the work in the two days as expected. They returned on March 7th and completed the television inspections. In total, they televised approximately 5,040 feet of sewer main.

During the television inspections, numerous defects were found in the sewer system. USG will be submitting a report with the videos so that the results of the inspections can be evaluated further. Russ was with USG during most of the TV inspections and he reported that the most severe defect was in the Poplar Drive area, where there is a broken sewer main under a water course which has a few stormwater pipes discharging into it. During the TV inspection, water was pouring into the sewer system at this location; therefore, this area should be given the highest priority when it comes to I & I removal.

In addition to the broken pipe mentioned above, the Poplar Drive sewer main had several cracked or leaking joints. Additionally, there were multiple cracks found in Oak Drive, North Main Street and Dogwood Drive. Previously, Barkley Drive was identified as an area in need of sewer repairs. Once the video and report is received from USG, we will summarize the nature of repairs and provide a cost to do them.

Inasmuch as the house inspection activity was placed on hold over the winter months, the Borough should now follow up on those homes that were previously red flagged as having illegal connections to the sewer system so that corrective action is performed as soon as possible.

6. DRBC Dockets – Water System

The Water Audit Reports for 2013, 2014 and 2015 were submitted to the DRBC on March

3, 2016. These reports were re-submitted to the DRBC in Excel worksheets on March 8, 2016 at the request of the DRBC; the original submission was in pdf files.

7. NPDES Permit Renewal

The application for renewal of the NPDES Permit No. 0020711 for the Sewage Treatment Plant, along with a check for \$500, was submitted to DEP on February 29, 2016 and a copy of the application was also sent to the DRBC.

8. Toad Creek Improvements

A kick-off meeting was held with BCCD on 2/19/16. Draft plans have been handed out to Council members tonight. BIA will continue with design/permitting of Phase 1 of the Toad Creek improvements.

In regards to the proposed land swamp a motion was made to allow Barry Isett to do the surveying needed. Motion was made by Mr. Wagaman, seconded by Mr. Jost and passed unanimously.

9. Borough Park Master Site Plan

The third committee meeting is scheduled for March 21st. Concept plans are being prepared and will be reviewed at that meeting.

10. Borough Town Square Improvements

Awaiting authorization from the Borough to begin work.

11. East Penn Manufacturing Parking Lot site plans

This project received a recommendation for approval from the Planning Commission in February. I issued a review letter on March 10th, 2016, which indicates that the revised plans sufficiently address our previous review comments and we recommend that Council provides Conditional Preliminary/Final Plan approval at tonight's Council meeting.

Old Business

None for Discussion

Executive Session – Personnel

Entered: 8:45 PM on motion by Mr. Jost, seconded by Ms. Lorah passing unanimously.

Exit: 9:13 PM on motion by Mr. Wagaman, seconded by Mr. Jost passing unanimously.

Mr. Wagaman made the motion, seconded by Mr. Gehman to terminate the employment of Nathan Leibensperger effective immediately. The motion passed unanimously.

Mr. Wagaman made a motion to prepare and advertise as needed for the vacated position. The motion was seconded by Mr. Jost and passed unanimously.

ADJOURNMENT:

Council adjourned at 9:15 PM on a motion by Mr. Gehman, seconded by Ms. Lorah.

The next Borough Council meeting will be held on April 11, 2016 at 7:00 PM.

Respectfully Submitted
Marcus V. Dolny
Borough Secretary