

**MINUTES OF THE  
TOPTON BOROUGH COUNCIL  
Monday March 12, 2018**

Members of the Topton Borough Council met on Monday March 12<sup>th</sup>, 2018 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. Miller, Ms. Lorah, Mr. Jost, and Ms. Kunkel. Borough Manager Marcus Dolny, Solicitor London and visitors were also in attendance. Ms. Moll was absent.

Borough Manager Marcus Dolny noted that Ms. Moll gave birth to a little girl, Juniper Moll, and should be returning in April.

**APPROVAL OF MINUTES**

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

**PUBLIC HEARING**

Ordinance 2-2018 – Amending Current Zoning Ordinance:

The Borough Entered into a public hearing at 7:03PM to discuss the proposed changes to the current zoning ordinance regarding and pertaining to the definition of sheds and the setback restrictions.

Bob Rauenzahn of Spruce Street was the only resident to offer comment. Mr. Rauenzahn objected to the new setback standards for shed and also requested that neighbors be notified and be allowed to comment before a resident is allowed to place a shed on their property.

Hearing no other comments from residents Ms. Lorah made a motion to close the public hearing at 7:21PM, seconded by Mr. Jost and passing unanimously.

President Stauffer asked council if anyone wanted to take action on Mr. Rauenzahn's requests, no action was taken.

Mr. Jost made a motion to pass Ordinance 2-2018 as presented. The motion was seconded by Ms. Kunkel and passed unanimously.

\*An official transcription of the public hearing may be obtained through the county.

## **COMMUNICATIONS**

Mr. Dolny shared an invitation to attend the Berks County Legislative Banquet

Mr. Dolny presented a request from USA National Miss Berks County Jr. Teen Britney Jeschonek for a special needs event within the community. Council tabled action so they can fully review the feasibility of the request.

Mr. Dolny shared an invitation from the Brandywine Community Library for council to attend there next fundraising event.

BYBA send a letter for donations for a fundraising event for their Blast team. No action was taken.

### **Mayor's Report**

No Report

## **HEARING OF VISITORS**

Mr. Tim Smith approached council regarding the matter of a delinquent water and sewer bill that he is now responsible for due to a tenant vacating the premises. Although council was empathetic to his situation no action was taken, citing the financial responsibility ultimately lies with the property's owner.

Mr. Rauenzahn asked if the public meeting would be transcribed. Solicitor London stated that the Borough is not required to have it transcribed and that an actual record does not need to be kept on file. The record of the public meeting simply needs to exist should the ordinance be challenged or someone wish to obtain it. Mr. Rauenzahn was told he can obtain one if he wishes through the county.

### **Solicitor's Report**

Solicitor London updated council on the Berks Regional Police case matter. President Stauffer commended former council member Michael Wagaman and Mayor Biltcliff for their roles in the litigation.

### **Secretary's Report**

Mr. Dolny has informed council that he has solidified options for the Borough to formulate a solution to parking and abandoned vehicles and he will be moving forward with a new parking ordinance.

Mr. Dolny introduced The Borough's New Recreation and Community Development Coordinator Trynda Schoonover.

Ms. Schoonover and the other office staff have already put together the 2018 events and activities. After no objections from council two of the new activities will be a Family Camp Out on the pool grounds and an end of season dog swim. More details were said to follow. Mr. Miller said he would support anything to promote activities for the community and families.

Mr. Dolny also asked if there would be any objection to closing the pool early to facilitate a private event for the swim team's end of year picnic. Council saw fit for Mr. Dolny to use his discretion.

## **COMMITTEE REPORTS**

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

An update was given on the upcoming street fair; new activities will include the Borough organizing a History Hunt, Scavenger Hunt Type Game, and the possibility of having a Beer Garden.

Solicitor London stated that as long as reasonable guidelines and parameters are met she saw no issue with the possible idea.

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

Just noted that seasonal applications are currently being accepted.

### **Finance Committee – (Ms. Kunkel)**

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

### **Property Committee – (Mr. Jost)**

No Report

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

Ms. Schoonover presented council with the 2018 Events Calendar and event flyers, copies will be included in the official record. Mr. Dolny asked council to grant permission to close Callowhill Street from Weis to Barkley on July 29, 2018 for a Car Cruise and Music in the Park. Mr. Jost made a motion to grant the request, seconded by Mr. Miller and passing unanimously.

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

No Report

### **Utility Committee – (Mr. Beck)**

Mr. Beck applauded the work done off of Weis Street to repair a water main leak.

## **Engineer's Report**

### **1. Sewage Treatment Plant**

DRBC – Annual Effluent Monitoring Report was submitted on January 11, 2018.  
Chapter 94 Report is due March 31, 2018.

### **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  
Submittal of Requested Data: December 29<sup>th</sup>, 2017

We have had discussions with DEP regarding the new permit. There are a few changes that will be in the new permit:

- a. There will be a daily max of 0.039 mg/l or 0.97 lbs/day for copper. The monthly average will remain at 0.025 mg/l.
- b. There will be an instantaneous max for Total Residual Chlorine of 0.02 mg/l. The current chlorine test kit is only good to 0.05 mg/l; therefore a photo spectrometer will be needed – this will cost about \$5,000.
- c. The testing parameters that are required by DRBC will be incorporated into the new permit.

DEP expects to issue the draft permit within the next few weeks and then Topton will have a one-year period to meet the new requirements.

### **3. Toad Creek Improvements**

Permit package resubmitted to the PADEP on March 2<sup>nd</sup>, 2018.

### **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**

DEP continues to work on issuing the 2018-2023 NPDES permits. No additional updates available from Southcentral office at this time.

### **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 started arriving on site Week of 12/11/17  
Started Construction Work Week of 12/18/17 (location of potential conflicts)

Contract #1 Bellview Pump \$13,700.00  
Contract #2 Bellview Pump \$45,950.00

Bellview Pump has completed installation of the pump and piping in the chlorination building. The pump is operating for chlorination and de-chlorination around the clock and it appears that this is saving between 30,000 to 40,000 gallons of potable water per day. Bellview has also completed the 3" loop around the site. They still need to extend the loop inside the chlorine building and blower building and install backflow preventers, filters and other miscellaneous items.

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

Contract documents with DOLI Construction have been executed.  
Anticipate Notice to proceed for February 12, 2018  
Contract time is (based on anticipated NTP):  
90 days to Substantially Complete May 13, 2018  
120 days to Finally Complete June 12, 2018

Original Contract Value: \$179,220.00  
Change Order #1 (laterals) +\$12,284.00  
Revised Contract Value \$191,504.00

Submittals have been reviewed and approved. Contractor anticipates being on site the week of the 12<sup>th</sup> doing one-calls and pre-construction videos. Materials are anticipated to be on site the week of the 19<sup>th</sup>, with additional pre-work done that week. Main construction activities planned for the week of March 26<sup>th</sup>.

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

Notice to proceed issued for March 19 of 2018  
Contract time is (based on anticipated NTP):  
90 days to Substantially Complete June 18, 2018  
150 days to Finally Complete August 17, 2018  
Contract Value: \$ 91,321.55  
Pre-Construction Meeting was held March 9, 2018, anticipated start of work is April 23<sup>rd</sup>.

## **9. DRBC Water Audit**

The DRBC Water Audit is due March 31, 2018. This report is generally compiled by Scott.

## **10. New Well and Grant Application**

The DCED Grant Application for the Potable Water Well has been submitted.

## **Old Business**

Mr. Dolny revisited Mr. Smith's request from the *Hearing of Visitors*. Stated that due to the nature of his situation council could consider to waive the penalties. Ms. Lorah made a motion to do so, since Mr. Smith was unaware of the delinquent debt of his former tenant. The motion was seconded by Mr. Miller and passed 5 to 1. Mr. Beck voted in the negative.

## **Executive Session – Real Estate**

Entered: 8:43PM on motion by Ms. Lorah, seconded by Mr. Miller passing unanimously.

Exit: 9:00PM on motion by Ms. Lorah, seconded by Mr. Beck passing unanimously.

## **ADJOURNMENT**

Council adjourned at 9:02PM on a motion by Ms. Lorah, seconded by Mr. Miller.

Next Borough Council meeting will be held on April 9, 2018 at 7:00PM.

Respectfully Submitted  
Marcus V. Dolny  
Borough Manager