

***MINUTES OF THE
TOPTON BOROUGH COUNCIL
MONDAY, MAY 12, 2014***

Members of the Topton Borough Council met on Monday May 12, 2014 at 7:30 P.M. at Borough Hall for the regularly scheduled meeting. The meeting was called to order by Mr. Stauffer with the Pledge of Allegiance.

Before agenda items were recognized President Stauffer expressed his appreciation to Pennsylvania State Police for their efforts now and ongoing in light of the current arrests made in our community relating to drug issues and prevention efforts.

Roll call was taken and the following members were present; Mr. Beck, Ms. Lorah, Mr. Jost, Mr. Wagaman, Mr. Gehman, Mr. Ardnt, and Mayor Biltcliff. Also in attendance were Borough Secretary Marcus Dolny, Solicitor Joan London, Ryan Kern and visitors.

APPROVAL OF MINUTES

On a motion by Mr. Gehman, seconded by Mr. Wagaman the minutes of April 9, 2014 were approved unanimously.

COMMUNICATIONS:

GoRail's request for support from the Borough regarding Railroad Industry that was tabled for review in April was brought back to the floor with no Action taken.

Topton Torpedoes submitted a letter asking for permission to hold their annual swim meet, with 10% of the vendors' earnings being returned to the Borough as compensation. On motion by Mr. Beck and seconded by Mr. Wagaman the motion passed unanimously.

Topton Fire Company brought the service contract to our attention for renewal, on motion by Mr. Wagaman and seconded by Mr. Gehman the motion passed unanimously.

A reminder was presented in regards to the New Ambulance building and dedication on June 21, 2014

HEARING OF VISITORS:

Leon Moyer is asking if it was possible to enact a police service tax to assist in the efforts to establish our own force. At this time there are no specific authorizations allowing such action for police services.

COMMITTEE REPORTS

Personnel Committee – (Mr. Stauffer)

Motion was made by Mr. Beck to hire Tyler Mathais at \$10.00 per hour for seasonal grounds position seconded by Mr. Jost and passed unanimously.

Motion was made by Mr. Wagaman to hire the seasonal staff for the Topton Memorial Pool and Pool Side Cafe at rates stated (sheet included on record) pending successful pre-employment drug and alcohol screening, seconded by Mr. Jost and passed unanimously.

Motion was made by Mr. Beck to appoint Matthew Dolny to the vacant seat on the zoning hearing board, seconded by Mr. Gehman and passed unanimously.

Mr. Stauffer noted that there were to position that remained unfilled, a seat on the Municipal Authority and the Alternate for the Zoning Hearing Board. Interested candidates should contact the Borough Office.

Mr. Stauffer brought up the County's End User Agreement for the new Radio's. The County has left us with little choice but to sign however it was stated that we should sign under protest. Mr. Wagaman made the motion which was seconded by Mr. Jost, the motion passed 6 to 1 with Mr. Gehman voting in the negative.

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.

Mr. Stauffer stated that after reviewing the audit he found nothing of concern.

Property Committee – (Mr. Jost)

NO REPORT

Parks & Recreation Committee – (Mr. Beck)

Mr. Beck made a motion to approve the upcoming calendar of events (sheet included on record) for the summer. The motion was seconded by Mr. Arndt and passed unanimously.

Mr. Gehman inquired about the Eagle Scout Project constructing a Pavilion on the pool grounds, an update was given.

Streets Committee – (Mr. Arndt) -

Mr. Arndt inquired about regulations on storm water run-off.

Mr. Gehman asked what was being done in regards to curbing at the corner of Washington and Heffner, Mr. Gehman followed with a motion to force the installation of curbing seconded by Mr. Arndt passing unanimously.

Mr. Gehman also reminded that there will be the annual Memorial Day Parade, including possible inclusion of activities at the Hoch Memorial.

Utility Committee – (Mr. Gehman) –

Mr. Gehman deferred to the engineer's report.

Public Affairs Committee – (Ms. Lorah) –

NO REPORT

Mayor's Report –

Stated his feelings and appreciation towards Pennsylvania State Police and commended their efforts. Also stated that break out groups have begun meeting and his will be looking at reforming the community watch.

Secretary's Report

Presented Keystone Publishing's proposal for ordinance codification, the proposal will be reviewed and brought for action at June's meeting.

Informed that the excess lime has been sold to East Penn Manufacturing for \$1,500.00

In regards to discussion last year regarding getting a Christmas tree for the Park that we could use for a holiday decoration, a proposal was brought before the council. No action was taken as Mr. Wagaman stated he had one in his yard the borough could have if we could figure out how to remove and replant it.

Mr. Dolny informed council that he had been contacted by representatives for Mr. Membrino regarding the development of the Freehall St. lots, and that he would be in contact with our engineers to review and discuss where the matter had been left.

Mr. Dolny informed council that the Borough had received the 902 Grant in the amount of \$101,000.00. Although, due to the way the former manager wrote the grant we would need to use the funds in certain ways. Recommending that these funds be used for the indented purpose of a new leaf truck and chipper and to create a recycling center for borough residents located at the Cherry St. lot. On motion by Wagaman the borough would accept the 902 Grant and look into moving forward with the recycling lot. The motion was seconded by Ms. Lorah and passed unanimously.

Solicitor's Report

Ms. London brought advertised proposed ordinance 2-2014 Quality of Life Standards within the Borough to the table for action.

Public Comment was heard:

Bob Rauenzahn asked if another government entity would have to approve the changes to the property maintenance code. Ms. London said no due to the fact it was not part of the UCC.

Mr. Rauenzahn asked if door numbers should be included. Ms. London stated there is a separate ordinance pertaining to that matter.

Mr. Rauenzahn asked for clarification regarding appeals. The Borough would have to make appointments in the near future, but stated there will be involvement by an outside entity.

Mr. Rauenzahn feels the stipulation for ice and snow removal should be returned to 48" from the width of the sidewalk. No action was taken.

Alane Falcone asked for clarification regarding if grass needs to be shoveled. Ms. London stated that it does not.

Ms. Falcone asked how residents would know about this ordinance, and what the standards and measures would be. Ms. London its outlined in the ordinance and the property maintenance code.

Goldie Geist asked if reporting of violations would still be handled the same way and what other issues would be handled. Mr. Dolny said issues can still be reported the same way and the ordinance outlines what is covered.

Brian Fronheiser read a letter and asked for its inclusion in the minutes.

Mr. Beck made a motion to adopt ordinance 2-2014 Quality of Life Standards within the Borough. Mr. Gehman seconded the motion and it was approved unanimously.

On motion by Mr. Gehman to accept the provided application for conditional use and seconded by Mr. Wagaman. The motion passed unanimously

Mr. Yost made a motion to accept RESOLUTION #11 Rules and Regulations Necessary for the Conduct of its Meetings and Maintenance of Order, seconded by Mr. Beck and passed unanimously.

Ms. London also presented proposed ORDINANCE ENTERING INTO AGREEMENT REGARDING THE EASTERN BERKS REGIONAL JOINT COMPREHENSIVE PLAN. Mr. Gehman made a motion to advertise seconded by Mr. Wagaman and passed unanimously.

Engineer's Report

- Stated that they were finalizing the plans regarding the proposed sign for Weis Street.

Submitted Report as Follows

1. Reed Beds

Now that the reed beds have been cleaned and we have had some warmer weather, the reeds appear to be rejuvenating and all appears to be good as the beds are back in use.

2. Sewage Treatment Plant Copper Limit

In March, the copper limit in the plant's effluent was exceeded for the first time in six months; however, in April, the effluent was back within the permit parameter. BIA will be meeting with the sewage treatment plant operator on Thursday, May 15th in order to review the Biotic Ligand Model study plan before it is submitted to DEP. Once DEP approves the study plan arrangements can be made for gathering stream data by a DEP certified laboratory.

3. Sewage Treatment Plant influent Screen

The influent screen was recently delivered to DESSCO; however, during the handling process one of the lifting straps had some slack that released just as the screen was being lowered to the ground. Apparently, the corner of the "side seal plate" was bent, and the unit was shipped back to the manufacturer to be inspected. Lakeside wanted to inspect the screen back at the factory where repairs, if needed, could be made. We had been provided with photos of the damaged unit and had also asked for a report from Lakeside regarding the extent of the damage and the nature of any repairs. It is expected that the screen will soon be sent back to DESSCO. It is recommended that once we receive a report on the damage and repairs, the screen be inspected before it is delivered to the

treatment plant for installation.

4. Sewage Treatment Plant Perimeter Fence

Over the past few years, Toad Creek has been eroding and is now within 4 feet of the fence around the treatment plant. We recommend that this condition be closely monitored during heavy rainfall events as it may be necessary to obtain a general permit from DEP for stream bank repairs.

5. Sewer System I/I

On April 30, 2014, over 4" of rain fell in Topton and the flows to the treatment plant was more than it could handle. Also, the flows from the Topton Home were 213,000 gallons that day; whereas, the normal flow from the Home is about 30,000 gallons. Any efforts to reduce Infiltration and Inflow should include the Topton Home.

6. Toad Creek Improvements

Topographic survey for Toad Creek is scheduled to begin this week.

7. Zoning Ordinance Update

Bob Korp of BIA attended the April Planning Commission meeting and will be attending subsequent monthly meetings.

Old Business

Ms. Weiser withdrew her request.

Executive Session

On motion by Mr. Wagaman seconded by Ms. Lorah Borough Council entered into executive session at 9:58 to discuss pending litigation involving former Berks Lehigh Regional Police Department, and personnel matters for Scott Steltz. The motion passed unanimously.

On motion by Mr. Wagaman and seconded by Mr. Beck passing unanimously council returned to open meeting at 10:11 PM.

On motion by Mr. Gehman, Scott Steltz is to be removed from his probationary status as Public Works Supervisor and be awarded a monetary raise of \$1,000.00 annually as agreed upon when hired. The motion was seconded and passed unanimously.

ADJOURNMENT:

Council adjourned at 10:17 PM on a motion by Mr. Beck, seconded by Ms. Lorah

The next Borough Council meeting will be held on June 9, 2014 at 7:30 PM.

Respectfully Submitted

Marcus V. Dolny
Borough Secretary