

**MINUTES OF THE  
TOPTON BOROUGH COUNCIL  
*Monday November 11, 2019***

Members of the Topton Borough Council met on Monday November 11, 2019 at 7:00 P.M. at Borough Hall for the regularly scheduled monthly meeting. The meeting was called to order by Council President Mr. Stauffer with the Pledge of Allegiance. President Kap Stauffer took time to thank our Veteran's in observance of Veteran's Day.

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

President Stauffer recognized that a vacancy still existed on the Borough of Topton council. After discussion and recommendation of Solicitor London due to his election by popular vote 2019 general election and upcoming term as councilman Toby C. Bower be immediately appointed to the vacancy. Mr. Beck made a motion to accept this recommendation and Mrs. Moll seconded this motion passing unanimously.

**APPROVAL OF MINUTES**

On a motion by Mr. Beck seconded by Mrs. Moll the minutes of October 14, 2019 were approved unanimously.

On a motion by Mr. Beck seconded by Ms. Lorah the minutes of October 28, 2019 were approved unanimously.

**COMMUNICATIONS**

Mr. Dolny shared a letter received from Karen Miller regarding the water & sewer invoice for 743 Woodside Avenue Mertztown, PA (Tenants name is Lisa Yob). This property sustained a leak in the water line outside of the dwelling and is requesting relief on the current invoice for a portion of the sewer charges as the water never entered the sewer system. After further discussion Mr. Beck made a motion to accept this request and issue a credit of \$1077.00 on the current invoice. Ms. Lorah seconded this motion passing unanimously.

**MAYOR'S REPORT**

No Report

**HEARING OF VISITORS**

Mr. Robert Rauenzahn questioned the fee in the amount of \$1800 for payment of Flamin' Dick and the hot rods music in the park.

## **SOLICITOR'S REPORT**

Solicitor London reviewed the proposed agreement with the Borough of Fleetwood for police services. After further discussion Ms. Lorah made a motion to authorize Solicitor London to prepare and advertise the intergovernmental ordinance regarding police services with the Borough of Fleetwood. Ms. Kunkel seconded this motion passing unanimously.

Solicitor London also discussed a draft agreement with Longswamp Township regarding proposed sewer connections for 7 residential properties along State Street. Solicitor London requested a meeting with the Municipal Authority prior to the December 9<sup>th</sup> council meeting.

Ms. Lorah made a motion to authorize the Borough of Topton office to advertise a Municipal Authority meeting on December 9<sup>th</sup>, 2019 at 6:30pm. Mr. Beck seconded this motion passing unanimously.

## **SECRETARY'S REPORT**

Mr. Dolny gave an update on the progress of the ordinance codification.

Mr. Dolny also updated Council on the current status of the rental inspection ordinance.

Mr. Dolny discussed with Council the possible addition of Veteran's Day to the Borough of Topton observed holiday list. Mr. Beck made a motion seconded by Mr. Stauffer and a roll call was taken. The motion was defeated 4 to 2.

Mr. Stauffer – yes  
Mr. Beck – yes  
Mrs. Moll - no  
Ms. Lorah – no  
Ms. Kunkel – no  
Mr. Bower – no

## **COMMITTEE REPORTS**

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

Mr. Stauffer announced the Borough of Topton will have a Holiday Celebration for the staff on December 24<sup>th</sup> at 12:00pm.

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

Mrs. Moll made a motion to award the winter internship to Paige Fenstermacher. Mr. Beck seconded this motion passing unanimously.

**Finance Committee** – (Ms. Kunkel)

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

**Property Committee** – (Vacant)

In the interim newly appointed Councilman Toby Bower will serve as the property chair.

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

After further discussion Council elected to continue with Celebration Fireworks for Tipton's annual fireworks. Fireworks will be held on July 10<sup>th</sup>, 2020.

**Streets Committee** – (Ms. Lorah)

Discussion were held regarding repairs to Croll Street and Hoch Avenue in the future.

**Utility Committee** – (Mr. Beck)

No Report

**ENGINEER'S REPORT**

**1. Annual Reporting**

PADEP:

A review of the sewage treatment plant loading through September shows that thus far in 2019 the average daily flow is 0.22 MGD and the average organic loading is 593 lbs/day. The rated capacities are 0.300 MGD and 750 lbs/day. If these values hold up for remainder of the year, it appears that the 2019 Chapter 94 Report will not project any overloads. The Chapter 94 Report (Waste Load Management) is due to be submitted to DEP by March 31, 2020.

DRBC:

The Annual Effluent Monitoring Report is due to be submitted to the DRBC by January 31, 2020.

**2. Toad Creek Improvements**

Contract documents with J. Phillips Excavating & Hauling have been executed.

Notice to Proceed for June 3, 2019

Work Start Date

June 19, 2019

Anticipated Date for Final Completion

September 14, 2019

Original Contract Value:

\$108,937.60

Construction is completed at the Toad Creek Phase I Restoration Project. Isett is waiting on the Contractor to send the final closeout documents. Once all of the documents have been received, this project can be completely closed out. Due to the recent rains, Isett is monitoring the installation to verify that no lasting damage was done, some maintenance may be required in the near future.

**3. DEP MS-4**

On September 27, the Borough's Annual MS4 report package was mailed to DEP office. DEP will review the information and provide a summary review with any comments within the next 3 months. These comments typically range on suggested improvements the MS4 can integrate to their stormwater programming, to any deficiencies in tasks not completed.

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

Isett met with Marcus to review the preliminary design. We are continuing with the design details so we can submit to PennDOT in mid to late November.

**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
Revised Contract Value	\$531,790.85

Contractor has completed dig and repair and is anticipated to complete lining work in November.

**6. New Public Water Well**

Isett has prepared a feasibility report for a new water source for the Borough. The report develops a water budget and identifies a well yield of ~210 GPM as desirable. Unfortunately, the geology looks like 50 GPM from a well might be max. so several wells will likely be needed. However, if we move down in topography and into carbonate bedrock, the 210 GPM yield from a single well is much more probable. The report concludes that this move combined with fracture trace analysis would give the best odds for a single well producing the desired volume.

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

DCNR approved the scope of work, so this planning process can be let out for bidding. The overall planning will take about 12 months once a consultant team is selected. Proposals will be accepted by the Recreation Committee and then a recommendation provided to Council for approval after the first of the year.

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

Defects have been discussed with Hanover Engineering, with the Township to follow-up on repairs.

**9. WWTP Flood Protection**

BIA has met with Alex and has initiated the work to help protect the influent facility and the office from flooding. It is anticipated that Borough forces will complete the work in the spring of 2020 as per Alex and Marcus' work plan.

**10. 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.

**OLD BUSINESS**

None

**EXECUTIVE SESSION - PERSONNEL**

Entered: 9:00PM on motion by Mr. Beck, seconded by Mrs. Moll passing unanimously.

Exit: 9:10PM on motion by Ms. Lorah, seconded by Mrs. Moll passing unanimously.

**BUDGET DISCUSSION**

Mr. Stauffer reviewed all funds. Budget accepted as presented by Mr. Dolny on October 28<sup>th</sup>, 2019.

Mr. Beck made a motion to prepare all needed documentation for the 2020 budget for adoption at the December 9<sup>th</sup>, 2019 meeting. This motion was seconded by Mr. Bower passing unanimously.

Ms. Kunkel made a motion to prepare and advertise an Ordinance enacting a .5mil Emergency Services tax increase. Mrs. Moll seconded this motion passing unanimously.

Ms. Lorah made a motion to prepare and advertise an Ordinance enacting a .5mil general tax increase. Mr. Beck seconded this motion passing unanimously.

Mr. Beck made a motion to authorize the tentative adoption of the 2020 budget as presented for advertisement. This motion was seconded by Mr. Bower and passing 4 to 2 with Ms. Kunkel and Ms. Lorah voting in the negative.

**ADJOURNMENT**

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

Next Borough Council meeting will be held on December 9th, 2019 at 7:00PM.

Respectfully Submitted  
Sherry Palinkas  
Administrative Assistant