

**MINUTES OF THE
TOPTON BOROUGH COUNCIL
Monday September 14, 2020**

Members of the Tipton Borough Council met on Monday September 14, 2020 at 7:00 P.M. for the regularly scheduled monthly meeting both in person and virtually via Zoom. The meeting was called to order by Council Vice President Mr. Beck with the Pledge of Allegiance.

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

APPROVAL OF MINUTES

On a motion by Ms. Lorah, seconded by Mrs. Moll the minutes of August 10, 2020 were approved unanimously.

On a motion by Ms. Lorah, seconded by Mrs. Moll the minutes of August 24, 2020 were approved unanimously.

POLICE REPORT

Chief Stinsky was present for questions and provided a patrolling report for the month of August by Fleetwood Police within the Borough of Tipton.

HEARING OF VISITORS

Mr. Jon Sotak of Tipton discussed with Council flooding concerns on his property and the surrounding area. Mr. Sotak noted this was his 4th appearance in front of council regarding this matter. He stated he contacted the engineers that designed the development as well as the Borough of Tipton's engineer at the time, Great Valley Consultants, regarding this matter. Mr. Sotak stated he was told there had been a plate placed over the drain of the retention pond around 1998 and he feels this could possibly be causing the back up and flooding of his property. Council requested Barry Isett & Associates investigate this situation and inform the borough of their findings.

Mr. Michael Deeds, of Tipton and neighbor of Mr. Jon Sotak, also discussed with council the flooding issues with his neighbor's property. Mr. Deeds asked council if there is any way the retention pond can be maintained more frequently to hopefully prevent flooding. Mr. Deeds also requested treatment for mosquitos to be done at the retention pond as well because he has noticed a large increase recently. Mr. Deeds stated that there does not seem to be safety bars on the drains at the retention pond and he feels this is a safety concern and should be corrected. Council stated they will have these matters investigated by our engineers, Barry Isett & Associates.

Mrs. Cheryl Ott of Topton stated that the above mentioned retention pond on Hoch Avenue had been kept up until the last 15 years. She notes they have seen snakes and rats swimming in the pond. She also noted when the grass was recently cut that the borough employees did not clean up the grass that had been cut. She also stated that while the cutting was taken place, there were rocks flying everywhere including some that hit houses. Again, as noted above, the borough will have Barry Isett & Associates look into this matter.

Mr. Ahman Zimmerman, who is the property owner of the land surrounding the Borough of Topton Sewer Treatment Plant, requested approval to place his own personal lock on the right of way gate next to the sewer plant to allow him to access his property. No motion was taken, but, per recommendation of Solicitor London, Council approved Mr. Zimmerman's request. Sewer Plant Supervisor Alex Lord will be notified.

Mrs. Michelle Stoudt stated she believed the original contract for the park project included sod and asked when that changed. Council informed her there was a change order that included the change from sod to seeding. Mrs. Stoudt also noted that she had spoken with Council President Toby Bower in regards to cost incurred to this point by the Borough of Topton for the TASA Project and that he had stated there had been no cost. She stated to council she had placed a right to know request through the borough office and that there has already been \$120,000.00 in engineering fees paid for the TASA Project.

COMMUNICATIONS

Mrs. Moll made a motion to accept the 2021 agreement with Safety Net Sanctuary to continue animal control services within the Borough of Topton at rate of \$2,000.00 a year. Ms. Kunkel seconded this motion passing unanimously.

Mrs. Moll made a motion to adopt Resolution 16-2020, PennDOT Winter Municipal Agreement. Ms. Kunkel seconded this motion passing unanimously.

MAYOR'S REPORT

Mrs. Moll made a motion to approve the continuation of weekly Disaster Declarations until further notice as needed. Ms. Kunkel seconded this motion passing unanimously.

Mayor Biltcliff communicated with council and residents the trick or treat guidelines for the Borough of Topton. Trick or Treat will be held on Saturday, October 31st from 6-8pm.

SOLICITOR'S REPORT

Ms. Lorah made a motion to adopt Ordinance 4-2020, Parking Restriction on East Main Street. Mrs. Moll seconded this motion passing unanimously.

BOROUGH MANAGER

Ms. Stacy Milo, newly appointed Borough Manager, introduced herself and noted she is very happy to be here and be a part of the Borough of Topton.

COMMITTEE REPORTS

Public Affairs Committee – (Ms. Kunkel)

No Report

Personnel Committee – (Mr. Stauffer) Absent

No Report

Finance Committee – (Mrs. Moll)

Mrs. Moll made a motion to pay the bills as presented. Ms. Kunkel seconded this motion passing unanimously.

Mrs. Moll made a motion to remove Monica Kunkel as a signer on all bank accounts the Borough of Topton has with M&T Bank and add Stacy Milo as the new signer. Ms. Lorah seconded this motion passing unanimously.

Mrs. Moll made a motion to add Stacy Milo as a signer on all bank accounts the Borough of Topton has with ESSA Bank & Trust. Ms. Lorah seconded this motion passing unanimously.

Property Committee – (Mr. Jost) Absent

Ms. Kunkel made a motion to authorize the removal of both trees located on the front property of 30 Klein Avenue as deemed necessary for safety reasons. Mrs. Moll seconded this motion passing unanimously.

Parks & Recreation Committee – (Mr. Bower) Absent

Mrs. Schoonover announced the new park and basketball court will be opening on Tuesday, September 22nd, 2020 at 9:30am.

Mrs. Schoonover thanked Ms. Kathy Duffy for her volunteer work helping the Borough of Topton with weeding on borough property and watering of the grass planted in the new park.

Mrs. Schoonover announced the Borough will be holding trunk or treat on Saturday, October 31st from 6-8pm on part of Home Avenue. Ms. Lorah made a motion to approve the closure of Home Avenue from Smith Street to Barkley Street. Mrs. Moll seconded this motion passing unanimously.

Ms. Kunkel made a motion to adopt the park rules as submitted with changes, correcting the borough phone number, adding illegal substances to the list of prohibited items, and adding the ordinance number. Mrs. Moll seconded this motion passing unanimously.

Mrs. Schoonover announced that the pavilion electric is slated to start in October.

Mrs. Schoonover updated council regarding a meeting that was held with Brandywine Youth Baseball Association. Mrs. Schoonover discussed items reviewed during the meeting including the request for new bleachers to replace the old ones that were removed.

Streets Committee – (Ms. Lorah)

Ms. Lorah gave an update on the quality of life ordinance enforcement currently taking place in collaboration with Fleetwood Police Department.

Ms. Lorah discussed with council the placement of a speed table on Callowhill Street between Weis Street and West Barkley Street. After further discussion council requested Charley Myers, with Barry Isett & Associates, obtain cost and types of tables available.

Ms. Lorah noted the borough public works employees completed street sweeping the week prior to the council meeting.

Utility Committee – (Mr. Beck)

No Report

ENGINEER'S REPORT

1. Annual Reporting

DRBC:

DRBC docket was submitted and received by the DRBC.

2. DEP MS-4

Annual Report currently being reviewed for completeness and edits. Copies being provided to the Borough by Wednesday 8/16 for comments. Recommended changes to the report and completed signature page to be returned to Isett by September 25th. The signature page can be scanned and emailed to Isett, hard copy is not required as the MS4 annual report will be submitted electronically to DEP.

Reminder: DEP requires a \$500 annual MS4 fee be submitted at the time of the annual report. This individual permit fee is made payable to the 'Commonwealth of Pennsylvania', and submitted separately from the report to:

PA Department of Environmental Protection
Bureau of Clean Water
Rachel Carson State Office Building
400 Market Street, PO Box 8466
Harrisburg, PA 17105-8466

Due to the most recent rain storms from Hurricane Isaias, Isett recommends review of the Borough's storm sewer mapping and noting areas where Borough crews needed to conduct culvert repairs, pipe or swale clean outs, and other related flooding repairs for inclusion in MS4 maintenance duties.

3. Topton Transportation Alternatives Trail Connection Project

- Wetland permitting has been submitted to DEP for review.
- E&S Submission has been submitted for review.
- Design plan set has been submitted for review.
- Comments were received for the bridge plans/drawings (required by PennDOT). The respective parties are working on their revisions now.

4. Sewer Rehabilitation

Contractor has completed work; Final pay request is in process.

5. New Public Water Well

We have prepared an initial assessment of the well location within the field near Hoch Ave. The site is underlain by Carbonate geology as suggested in the prior well location report. Given the high yield of the nearby geothermal well it is more likely that this location will also provide a higher yield; however, it is recommended that a fracture trace analysis be performed to maximize the potential yield. The Wellhead Protection radius will likely be between 100 and 200 feet. The use of herbicides and pesticides will likely be prohibited within the Wellhead Protection Zone, and it is not clear that any farming would be permitted. The State requires “control” of the property within the Wellhead Protection Zone, which implies that an easement may be acceptable, but this should be confirmed with the DEP during a pre-application meeting. In addition to the well, there will need to be a structure to house equipment associated with the well and cross-connection to the water supply. An access road will also be required to provide routine maintenance and ingress to the structure.

6. Topton Park Improvements

Construction – Substantially complete. Fifteen field reports (plus one Special Inspections Report) have been filed, including photos documenting progress.

Substantial Completion – Observed September 3 after lights erected and landscaping installed.

Final Completion – Minor punch list items being addressed 9/11 through 9/15. Closeout documents pending.

7. Transfer of Sewer Lines from Longswamp Township to Topton

The repair work is scheduled to be completed this month, will include both pre and post condition videos to be submitted to Topton. We will be informed before the work is to be done so that the Borough can have people on site to observe.

8. WWTP Flood Protection

Faddis Concrete delivered the concrete barriers to the treatment plant on July 23, 2020. The Borough crew will place the barriers along the swale on the west side of the site.

9. 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.

10. Washington Street Pumping Station

Fieldwork is complete. Preliminary design has been completed for a station to be built in place of the existing station.

Initial costs for the replacement station were projected to be more than \$100,000, this was well out of line with the desired scope and cost. Therefore, we have several manufacturers putting together design packages for the station and anticipate having alternate designs with recommendations for the October meeting.

It is anticipated that pricing will improve over time as costs are high currently due to COVID delays, materials shortages and workload.

11. Properties Investigated

- a. 315 E Weis St – Storm Damage to flow channel concrete barrier, Borough Crews were repairing the damage
- b. 30 Klein Lane – 2 Dead Maple Trees – Visited the property on August 5th with Frank Jost and Michelle Lorah. Conveying a letter to the property owner that requires the hazard trees to be removed due to there being a safety threat to the sidewalks. Received a response from the owner indicating that they had a tree removal company under contract, but that the work would not be completed before the end of the year.

OLD BUSINESS

None

ADJOURNMENT

Council adjourned at 8:51PM on a motion by Ms. Lorah, seconded by Mrs. Moll.

Next Borough Council meeting will be held on October 12th, 2020, at 7:00PM.

Respectfully Submitted
Sherry Palinkas
Administrative Assistant