

**MINUTES OF THE
TOPTON BOROUGH COUNCIL MEETING
Monday, August 9th, 2021**

Members of the Tipton Borough Council met on Monday, August 9th, 2021 at 7:00 P.M. at Borough Hall for the regularly scheduled monthly meeting. The meeting was called to order by Council President Bower with the Pledge of Allegiance.

Roll call was taken and the following members were present: Mayor Biltcliff, Ms. Kunkel, Ms. Lorah, Mr. Bower, Mr. Stauffer, Mrs. Moll, Mr. Beck and Mr. Polinsky. Solicitor Joan London, Engineer Charley Myers, Police Chief Stinsky and visitors were also in attendance.

APPROVAL OF MINUTES

On a motion by Mr. Stauffer, seconded by Mr. Polinsky, the minutes of July 12th, 2021 were approved unanimously.

COMMUNICATIONS

None

MAYOR'S REPORT

Mr. Biltcliff reminded council and visitors of the fireworks and music event on Friday August 20th, 2021.

Mr. Biltcliff also stated the Tipton Halloween Parade will take place on Saturday October 9th, 2021.

POLICE REPORT

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

Chief Stinsky discussed fraud and highly suggested everyone to monitor their credit and acquire a free credit report every four months to monitor their credit.

Ms. Debra Kirby discussed speeding on Hoch Avenue and drivers not stopping at stop signs with Chief Stinsky.

Ms. Carol Cook discussed illegal solicitors within the Borough of Tipton. Chief Stinsky discussed this matter and our ordinance. He also discussed possible future collaboration with Crime Alert.

HEARING OF VISITORS

Mr. Bower made a statement, prior to hearing any visitors, regarding a letter sent to Longswamp Township property owners that receive water and/or sewer services from the Borough of Topton. The letter involved a matter regarding future termination of water and sewer for Longswamp Township residents currently serviced by the Borough of Topton. Mr. Bower also noted the events that led to this decision.

Engineer Mr. Charley Myers gave a brief summary of the Borough of Topton's current water system's capacity.

Mr. Scott Yenser of the Topton Volunteer Fire Company briefly explained how much water has been used for 2 recent fire emergencies.

Ms. Laurie Bailey, representing her mother, Erin Hertzog, located at 712 Woodside Avenue, expressed her concern regarding possible termination of water and sewer services as well as her knowledge and understanding of requirements for the residents to connect to sewer services years ago and the connection of water service dating back to 1939. Ms. Bailey asked council if the residents are required to dig wells, how would that impact the borough's water supply.

Mr. Stauffer responded to Ms. Bailey's questions and statements and stated the chain of events with Longswamp Township requests to connect their residents to the borough's water and sewer services.

Ms. Tyrene Christman of 330 Clay Road asked for explanation regarding the well and emergency purposes. Mr. Bower noted that the well would be a secondary well if the borough's current water sources/wells were to dry up and the well would be a primary well for the Topton Volunteer Fire Company.

Mr. Scott Yenser informed council and visitors about the fire company's property and hopes he had for the property and well. He also stated that the proposed well could help the Longswamp Township residents on State Street and Park Avenue in the future.

Ms. Debra Kirby asked council the status of the property behind Hoch Avenue for a well. Mr. Bower noted it is not usable due to the location close to the railroad tracks, chemicals used and the cost to purchase the land. Mr. Bower also noted this property is also located within Longswamp Township.

Mr. Robert Rauenzahn asked who is responsible to clear the weeds along the curbs. Mr. Bower noted the borough is responsible and is currently in the process working on the weeds at the curbs throughout the borough.

Mr. Robert Rauenzahn also discussed the alley behind his property and his neighbor's property. He also discussed sidewalk issues on Centre Avenue. Mr. Bower noted he and others will take a look at the alley and property concerns.

Mr. Matthew Reitenauer discussed the placement of a flag on his neighbor's property blocking his security cameras. Chief Stinsky noted that if the flag is impinging on Mr. Reitenauer's property, he should request it be moved. Mr. Reitenauer noted this flag does not cross his property line and Chief Stinsky suggested movement of the security camera.

Mr. Reitenauer also discussed his concerns with him being on his neighbor's property to cut the weeds. Council noted that, due to placement of his fence, it requires Mr. Reitenauer to trim weeds that would have otherwise been able to be cut with a lawnmower.

Mr. Reitenauer also discussed the issues with parking issues along the alley way behind his house, which is making it difficult to back out of his garage and drive down the alley way. Mr. Bower noted he will look into this complaint.

SOLICITOR'S REPORT

After discussion Mr. Polinsky made a motion to authorize Solicitor London to advertise Ordinance 6-2021, Fire Loss. Ms. Kunkel seconded this motion passing unanimously.

Solicitor London discussed the Berks County Consolidated Dispatch Services Agreement.

Mr. Polinsky made a motion to adopt Resolution 23-2021, reaffirmation of the retention of the borough minutes. Mr. Stauffer seconded this motion passing unanimously.

Solicitor London discussed recordings of meetings and destruction of recordings of meetings. Mr. Polinsky made a motion to approve Resolution 24-2021, destruction of meeting recordings after minutes have been approved. Mrs. Moll seconded this motion passing unanimously.

Solicitor London discussed Act 65 amendment to the Sunshine Law, meeting agenda preparation changes.

Solicitor London also discussed Act 50, small wireless facility regulation changes.

BOROUGH MANAGER

Ms. Milo informed council that the office security system has been installed.

Ms. Milo noted she will be meeting with the Berks County Conservation District and Engineer Charley Myers to discuss the trees and tree maintenance along the middle/intermediate school property.

Ms. Milo shared a request from Topton Volunteer Fire Company to have the borough request to borrow a trailer from Lehigh Valley Health Network as the fire department's command post. Mr. Beck made a motion to approve this request with Mr. Polinsky seconding this motion passing unanimously.

COMMITTEE REPORTS

Public Affairs Committee – (Mr. Bower)

Mr. Bower requested council review the draft peace and good ordinance that was presented to council to discuss at future meetings.

Mr. Bower passed the gavel to Vice President Steve Beck.

Mr. Bower discussed Ordinance 3-2019, fireworks ordinance, section 2 (e) allowing fireworks within 150 feet of an occupied structure. Mr. Bower made a motion to change and advertise Ordinance 3-2019, section 2 (e) to read consumer fireworks within 250 feet of an occupied structure. Ms. Lorah seconded this motion passing unanimously.

Personnel Committee – (Mrs. Moll)

Mrs. Moll made a motion to approve Ms. Jeanie Ville as an additional lifeguard for the Topton Memorial Pool. Ms. Lorah seconded this motion passing unanimously.

Mrs. Moll discussed an addition to the handbook in regards to Volunteer Emergency Response Personnel. Mrs. Moll made a motion to accept the addition to the handbook. Mr. Stauffer seconded this motion passing unanimously.

Finance Committee – (Ms. Kunkel)

Ms. Kunkel reviewed the borough account balances presented by borough manager, treasurer.

Treasurer’s Report for August 9, 2021:

On-Line Bank Account Balances as of 08/06/2021:

General Account:	\$ 527,652.83
Water Account:	\$ 96,821.92
Sewer Account:	\$ 66,025.84
Reeds Beds – Sewer	\$ 4,977.18
Pool Account:	\$ 18,572.99
Payroll:	\$ 29,350.73
Recreation/Park Project:	\$ 627,622.59
Liquid Fuels:	\$ 232,329.86
Fire Fund:	\$ 91,972.23

Ambulance Fund:

\$ 35,540.54

Ms. Kunkel made a motion to approve the list of bills and transfers as presented on August 9th, 2021. Mr. Polinsky seconded this motion passing unanimously.

Property Committee – (Mr. Stauffer)

No Report

Parks & Recreation Committee – (Ms. Lorah)

Topton Torpedos Swim Team requested the extended use of the Topton Memorial Pool facilities to hold swim clinics post regular season for this year and years to come. Mrs. Moll made a motion to approve this request from the swim team. Ms. Lorah seconded this motion passing unanimously.

Ms. Lorah updated council on the current status of the Toad Creek Project Phase II.

Mr. Polinsky made a motion to approve payment application #1 in the amount of \$50,850.00 to Stonewood Landshaping, Inc. Mrs. Moll seconded this motion passing unanimously.

Ms. Lorah reminded council and visitors that Friday, August 20th, 2021 the Philly Keys will be playing at the park pavilion from 6-9pm. Then following the music will be our annual fireworks display. Ms. Lorah also noted the Topton Memorial Pool will be open until 10pm on that Friday evening.

Streets Committee – (Mr. Polinsky)

No Report

Mr. Beck inquired if the oil and chipping as previously discussed would still be completed this year. Mr. Polinsky noted the Public Works department is working on their schedule for the year to plan what items would be able to be completed in 2021.

Ms. Milo noted she has been in contact and working with the GIS department with the County of Berks to update the maps on the county website.

Utility Committee – (Mr. Beck)

Ms. Milo presented council with an updated accounts receivable status for the water and sewer account.

Mr. Beck noted that DEP held their inspection of the water report. Ms. Milo presented a summary of the inspection and noted the final report will be sent to the borough upon completion.

ENGINEER'S REPORT

1. DEP MS-4

MS4 Annual Report to DEP – Isett met with the Borough on July 27th to review sections of the Borough's MS4 Stormwater Management Plan (SWMP). Isett to prepare the draft Annual report in August and provide a copy to the Borough for review before September 1st.

Perennial Stream Brush Clearing – The Borough and Isett discussed options for clearing brush along the perennial, tributary stream corridor starting at Weis Street. Isett submitted a schedule of tasks to address immediate vegetation concerns, communication with neighboring property owners, and need for field assessment to determine options for repairing the drainage area for lower maintenance and meet water quality requirements. Borough reviewing recommended tasks.

Berks County MS4 Steering Committee - next meeting Thursday, October 21st. Members voted on winners of the student PSA video contest on local watersheds. Announcement of winners expected 2nd week of August. Videos will be available for Borough use with public education and outreach efforts.

2. Topton Transportation Alternatives Trail Connection Project

- Our next meeting with Cristie Barry and the Borough is scheduled for Thursday (8/12).
- We received confirmation through DEP that they have no further comments. We are anticipating the issuance of the permit soon.
- We will be resubmitting a response letter to the 90% Constructability review – The letter will be submitted early this week.

- PennDOT shifted the bid schedule, and the project is anticipated to go out to bid now in January 2022. We anticipate having the project wrapped up by late September 2021 should the bid schedule be moved up.
- PennDOT is providing the project with an additional approximately \$200,000 for construction.

3. Toad Creek

Construction Status: Project was reviewed with a punch list generated at a meeting with the Conservation District on 8/4/2021, work on the punch list items should only take a couple of days.

Pay Application #1 is in progress.

Two easements needed for construction of the end portion after the culvert. Both property owners initially declined to sign. Negotiations are continuing with the owner that the work would be on; and alternates are being discussed for access.

There will be a meeting with the Conservation District and School District on August 19, 2021, to review the proposed tree planting along Toad Creek south of Weis.

4. Washington Street Pumping Station

Projected project schedule is as follows:

PADEP Permitting	June through September 2021
Finalize Bid documents	October 2021
Bid Project	November 2021
Construction – Manufacture	January through May 2022
Construction – Field	June 2022
Shakedown/Finish	July 2022

OLD BUSINESS

Mr. Bower wanted to recognize Ms. Milo, Ms. Lorah and the public works employees on a job well done opening and keeping the pool open this year.

ADJOURNMENT

Council adjourned at 8:55PM on a motion by Ms. Lorah, seconded by Mrs. Moll.

Next Borough Council meeting will be held on September 13th, 2021, at 7:00PM.

Respectfully Submitted,
Sherry Palinkas
Borough Secretary