

**MINUTES OF THE  
TOPTON BOROUGH COUNCIL MEETING  
Monday, November 8<sup>th</sup>, 2021**

Members of the Tipton Borough Council met on Monday, November 8<sup>th</sup>, 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, Mr. Beck and Mr. Polinsky. Solicitor Joan London, Engineer Charley Myers and visitors were also in attendance. Mrs. Moll was absent.

**APPROVAL OF MINUTES**

On a motion by Mr. Beck, seconded by Ms. Kunkel, the minutes of October 11<sup>th</sup> and October 25<sup>th</sup>, 2021 were approved unanimously.

**COMMUNICATIONS**

Ms. Milo shared with Council a thank you received from Tipton Community Outreach Club for the Halloween Parade.

Ms. Lorah read a personally prepared statement to council and visitors.

**MAYOR'S REPORT**

Mayor Biltcliff read a proclamation presented to Trexler Florist for their many years of service to the community of Tipton.

Mayor Biltcliff declared December 5<sup>th</sup>, 2021 "Trexler Florist Day" in the Borough of Tipton.

**POLICE REPORT**

Officer in Charge Ulshafer presented the Fleetwood Police report for the month of October 2021 and answered council and community questions.

**HEARING OF VISITORS**

Mrs. Kristin Apgar questioned council in regards to the next steps with the borough pool. Engineer Charley Myers noted they will be conducting a 2-stage investigation into the current state of the pool.

Mrs. Apgar asked council when the Community Recreation Board last met. Mr. Bower noted that due to the conclusion of the feasibility study, the board has not met since 2020 and no longer exists.

Mrs. Apgar requested that borough council include the community and the recreation board in any future talks regarding the Topton Memorial Pool.

Mrs. Apgar also asked if the borough has been in touch with other surrounding community pools to possibly allow Topton residents to attend their pools. It was noted that the borough has been in touch with the Boroughs of Fleetwood and Kutztown to discuss this matter.

Ms. Julie Nolan expressed her disappointment and concerns in regards to the closure of the Topton Memorial Pool. She noted that the community should have been notified and would like the community to be involved to help allow the pool to be reopened. Council President Mr. Bower addressed Ms. Nolan's concerns.

Ms. Debra Kirby discussed elections with borough council. She requested that prior to the next council election, a town hall could be held to know what each candidate stands for. Ms. Milo noted that the appointed employees are not involved in the elections but the community can request the borough conference room for a town hall meeting. Mr. Bower noted this election had the most council member candidates on the ballot.

Ms. Kirby also discussed the closure of the pool and possible ADA grants that could help cover cost of the repairs. Engineer Charley Myers provided his contact information to discuss grants with Ms. Kirby.

## **SOLICITOR'S REPORT**

Mr. Polinsky made a motion to authorize Solicitor London to send the Act 50 Small Wireless Telecommunication Facilities Ordinance to Topton and Berks County Planning Commissions. Ms. Kunkel seconded this motion passing unanimously.

Mr. Polinsky made a motion to adopt Ordinance 9-2021, Stop Signs. Ms. Lorah seconded this motion passing unanimously.

Borough Council discussed the upcoming Zoning Hearing Board meeting on Wednesday, December 15<sup>th</sup>, 2021. This meeting is in regards to a pool permit application denial for 24 West Weis Street. The permit was denied due to current zoning setback for their property.

After further discussion, Ms. Lorah made a motion to support the grant of the variance. Ms. Kunkel seconded this motion passing unanimously.

Ms. Lorah made a motion to authorize Solicitor London to prepare a letter to support the grant of the variance to the Borough of Topton Zoning Hearing Board; the letter is to be signed by Mr. Bower; and to have Council President Mr. Toby Bower to appear at the Zoning Hearing Board meeting being held on December 15<sup>th</sup>, 2021. Mr. Polinsky seconded this motion passing unanimously.

## **BOROUGH MANAGER**

Ms. Milo discussed the need for a conflict of interest policy for all employees, council members and authorities. Ms. Milo presented council with a draft policy. Borough Council requested Ms. Milo place this item on the December 13<sup>th</sup> agenda.

Ms. Milo also discussed the requirements to conduct an annual motor vehicle record policy for all employees who operate borough vehicles. Council will discuss this policy further at the December 13<sup>th</sup> meeting.

Council discussed the proposed 2022 budget, including a possible part time Parks & Recreation and Social Media position.

Ms. Milo requested borough council review and submit their information or requests in regards to the tax collector's office hours, post office box and other needs by December 1<sup>st</sup>.

Ms. Milo noted that she received two (2) responses to the request for proposals for towing services within the Borough of Topton. Andre's Towing & Auto Repair and Schadler's Garage will be on a rotating list for future towing needs once all required documents are received by the borough.

Ms. Milo also spoke in regards to Robert's Rules of Orders. Council will discuss this matter further at the December 13<sup>th</sup> meeting.

## **COMMITTEE REPORTS**

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

Mr. Bower reminded council and visitors that the Veterans Town Hall will be held on Friday, November 5<sup>th</sup>, 2021 at the Ray A. Master American Legion in Topton.

Mr. Bower also noted Veterans Day is Thursday, November 11<sup>th</sup>, 2021. Mr. Bower thanked and honored all Veterans.

Mr. Bower expressed his thanks and excitement for the great turnout held at the 3<sup>rd</sup> annual Trunk or Treat event held on October 31<sup>st</sup>, 2021.

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

No Report - Absent

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

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

## **Treasurer's Report for November 8, 2021:**

On-Line Bank Account Balances as of 11/08/2021:

General Account:	\$ 456,127.66
Water Account:	\$ 54,384.50
Sewer Account:	\$ 76,099.75
Reeds Beds – Sewer	\$ 4,988.79
Pool Account:	\$ 667.92
Payroll:	\$ 2,284.92
Recreation/Park Project:	\$ 627,719.62
Liquid Fuels:	\$ 235,519.09
Fire Fund:	\$ 75,410.25
Ambulance Fund:	\$ 27,149.39

Ms. Kunkel made a motion to approve the list of bills and transfers as presented on November 8th, 2021. Mr. Polinsky seconded this motion passing unanimously.

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

Ms. London requested an executive session to discuss the ongoing public water well source.

### **Parks & Recreation Committee – (Ms. Lorah)**

Ms. Lorah noted the community service project request discussion will be delayed to December's council meeting.

Ms. Lorah noted the continuation and completion of Toad Creek Rehabilitation Phase II will be delayed until Spring of 2022.

Ms. Lorah informed council and visitors that the TASA Project will be completed by December 2022.

Ms. Lorah announced that the Borough of Topton will hold its tree lighting on Sunday, December 5<sup>th</sup>, 2021 at 4pm at the Topton Community Park.

### **Streets Committee – (Mr. Polinsky)**

Mr. Polinsky made a motion to adopt Resolution 28-2021, Inter-Municipal Cooperation Agreement, per Solicitor London's review and approval. Ms. Lorah seconded this motion passing unanimously.

Mr. Polinsky discussed a traffic calming policy with Council. A draft has been presented to Solicitor London for review.

Council also discussed the request to correct the 'no parking' signs located along Callowhill Street.

## **Utility Committee – (Mr. Beck)**

Mr. Beck provided a water and sewer accounts receivable report update.

## **ENGINEER'S REPORT**

### **1. DEP MS-4**

**MS4 Annual Report to DEP** – Annual report and supplemental appendix documents were uploaded to DEP online portal on Monday, September 27<sup>th</sup>. Awaiting comments back from DEP.

**MS4 Program Items** – No additional work this month.

**Perennial Stream Brush Clearing** – Isett preparing field report for Borough Manager on Tuesday (11/09/21).

**Berks County MS4 Steering Committee** – held 10/21/21 at Muhlenberg Twp .

- a) Stormwater Signage – committee members voted on their choice of design for educational signage relating to clean waterways. A physical sign will be installed within the County, and all MS4 Steering Committee members will receive an electronic copy of the design. Members can use the image for educational purposes – electronically, handouts, installation of educational sign at a suitable location, or other suitable uses.
- b) Municipal Training Videos – Berks County MS4 Committee Staff have begun taping training videos to explain the MS4 program components for municipal employees. Staff will create a library of topics related to the permit and upload the videos onto the Berks County MS4 Committee Youtube channel.
- c) ARRO representative Mark Harman provided a presentation to Committee members on the DEP Auditing process, what to expect and how to prepare for DEP's visit.

Nomination committee was appointed to collect and review member interest for the Chair and Vice Chair positions. Voting will take place at the January 20, 2022 meeting.

### **2. Topton Transportation Alternatives Trail Connection Project**

- PennDOT confirmed let date of 1/13/2022.
- PennDOT confirmed an additional \$248,172 in additional funds (project total of \$1,175,250 in TASA funds).
- Typical sections were submitted to the PennDOT Pavement Unit on 10/7/21. Comments were received on 10/12/21. The drawings were resubmitted for review on 11/3/21.
- Monthly check in with PennDOT and the Borough was held on 11/3/21. Next meeting is 11/17/21.

- Plan set was submitted for the contract management review (permitting no additional comments on the typical sections) on 11/3/21.
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### **3. Toad Creek**

Construction Status: Easement has been signed, work to be completed this spring.

Current Contract Value \$96,025

### **4. Washington Street Pumping Station**

Projected project schedule is as follows:

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

### **OLD BUSINESS**

Mr. Bower discussed upcoming Borough Council training being provided by Pennsylvania State Association of Boroughs. Mr. Bower noted he will be in touch with returning and new council regarding the training.

### **Executive Session**

A motion was made at 8:49pm by Ms. Lorah to enter into an executive session to discuss potential litigation and personnel matters. This motion was seconded by Ms. Kunkel passing unanimously.

A motion was made at 9:10 by Ms. Lorah to exit the executive session and return to the regular council meeting. This motion was seconded by Mr. Polinsky passing unanimously.

### **ADJOURNMENT**

Council adjourned at 9:11PM on a motion by Ms. Lorah, seconded by Ms. Kunkel.

Next Borough Council meeting will be held on December 13<sup>th</sup>, 2021, at 7:00PM.

Respectfully Submitted,  
Sherry Palinkas  
Borough Secretary