

**MINUTES OF THE  
TOPTON BOROUGH COUNCIL MEETING  
Monday, December 13<sup>th</sup>, 2021**

Members of the Tipton Borough Council met on Monday, December 13<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, Mr. Beck, Mr. Bower, Ms. Kunkel, Ms. Lorah, Mrs. Moll, Mr. Polinsky and Mr. Stauffer. Solicitor Joan London, Engineer Charley Myers and visitors were also in attendance.

**APPROVAL OF MINUTES**

On a motion by Mr. Beck, seconded by Mr. Polinsky, the minutes of November 8<sup>th</sup>, 2021 were approved unanimously.

**COMMUNICATIONS**

Ms. Milo shared the resignation of Planning Commission member Mr. Jeffrey Shriver. Mr. Polinsky made a motion to accept Mr. Shriver's resignation. Mrs. Moll seconded this motion passing unanimously.

Ms. Milo noted that at the January reorganization meeting the borough will need to appoint a borough designee to attend monthly Tipton Ambulance meetings. Currently Ms. Monica Kunkel is the appointed designee and offered to continue if council so wishes.

Mr. Sidney L. Dise, Jr. of 82 Hoch Avenue spoke to council regarding his water bill and meter issues he has had since he purchased the house in July 2016. Mr. Dise explained he had brought it to the borough office's attention that he felt his meter was reading incorrectly as his reads were much higher than where he had lived prior. He also explained after the meter was changed that his new usage has been much lower than with the old meter. Mr. Bower directed Ms. Palinkas to investigate the averages, any possible rate changes, and meter information to present to council for the next meeting on December 27<sup>th</sup>, 2021.

Mr. Bower noted that Council-Elect Lawrence Talotta has notified the borough that he will not be able to serve on Council for his 2-year term. Solicitor London shared with council and visitors the requirements to fill this position as an appointment by council. Council will advertise this opening requesting letters of interest and hold interviews at Monday, January 10<sup>th</sup>, 2022 council meeting. They will then hold a second meeting on Monday, January 24<sup>th</sup>, 2022 to appoint this position.

Ms. Milo shared that Ms. Alane Falcone had presented a letter to be part of the council minutes. This letter will be available for review by council and the public.

Ms. Lorah requested to see a copy of a letter that Council-Elect Carol Cook sent to residents.

Ms. Cook noted she does not have a copy of this letter and that it was only sent to a handful of residents.

### **MAYOR'S REPORT**

No Report

### **POLICE REPORT**

No Report - Absent

### **HEARING OF VISITORS**

None

### **SOLICITOR'S REPORT**

Solicitor London updated council on the status of the Act 50 Small Wireless Telecommunication Facilities Ordinance.

Solicitor London also gave a status update on the Traffic Calming Policy. She noted the policy will need to be converted to an ordinance. After discussion Mr. Polinsky made a motion to authorize Solicitor London to prepare a draft ordinance. Ms. Lorah seconded this motion passing unanimously.

Solicitor London discussed the proposed ordinance for the tax collector's compensation. Ms. Lorah made a motion to authorize Solicitor London to advertise the proposed ordinance for adoption. Mr. Polinsky seconded this motion passing unanimously.

Solicitor London informed council that the Inter-Municipal Cooperation Agreement to purchase a LeeBoy Paver has been signed and adopted.

Mr. Beck made a motion to adopt Resolution 30-2021, Amendment to Fleetwood Police Services Agreement. Ms. Lorah seconded this motion passing unanimously.

Mr. Stauffer made a motion to adopt Resolution 31-2021, Reappointment of Mr. Michael Garl to the Zoning Hearing Board to fill his term until January 1, 2023. Mr. Polinsky seconded this motion passing unanimously.

Mr. Polinsky made a motion to adopt Resolution 32-2021, Reappointment of Mr. Leo Scott to the Planning Commission to fill his term until January 1, 2025. Mrs. Moll seconded this motion passing unanimously.

Solicitor London shared a review of a letter that was received from Longswamp Township regarding Volunteer Fire Co. No. 1 property. Solicitor London requested an executive session to discuss this matter and invited Council-Elect members to be included in this discussion.

## **BOROUGH MANAGER**

Mr. Polinsky made a motion to adopt Resolution 29-2021, authorizing Borough Manager to execute agreements for funding for the TASA Project. Ms. Kunkel seconded this motion passing unanimously.

Ms. Kunkel made a motion to adopt the Conflict of Interest Policy as presented. Ms. Lorah seconded this motion passing unanimously.

Mr. Polinsky made a motion to adopt the Motor Vehicle Record Policy as presented. Mrs. Moll seconded this motion passing unanimously.

The Resolution to use Robert's Rules of Order has been tabled until 2022.

Ms. Milo shared with council that the Borough was awarded a multimodal transportation fund contract in the amount of \$168,594.00 from DCED for Callowhill Street Traffic Calming & Pedestrian Safety Measures.

Ms. Milo discussed the proposed budget with council, including an increase for the Mayor and Council Salaries, pool costs and noted specific equipment will not be able to be purchased with the America Rescue Plan funds. After discussion Mr. Polinsky made a motion to tentatively adopt and authorize the Borough Manager to advertise the proposed budget. Mrs. Moll seconded this motion passing unanimously.

Ms. Milo requested an executive session to discuss Personnel Matters.

Ms. Milo requested council consider the closure of the borough office to the public the week of December 27, 2021-December 30, 2021. Mr. Stauffer made a motion to approve this request. Mrs. Moll seconded this motion passing unanimously.

Mr. Beck made a motion to authorize the Borough Manager to advertise the 2022 meetings of the Council, Committees and Commissions. Mr. Polinsky seconded this motion passing unanimously.

Ms. Lorah made a motion to accept the proposed 2022 holidays for the Borough. Ms. Kunkel seconded this motion passing unanimously.

It was noted for the record that Council supported the Borough Manager's decision to purchase a 1991 Sewer Jet Truck from the Borough of Emmaus in the amount of \$4,000.

Ms. Milo noted the materials for the dog park will be picked up on Wednesday, December 15, 2021. Mr. Bower noted there was an anonymous donation to cover the remainder of the cost of the dog park fencing and that this dog park will be 100% funded by donations and no taxpayer money.

Ms. Milo and council discussed the RKL Engagement Letter that was received and will be presented at the next council meeting.

Ms. Milo discussed with council the request to review the employee manual in regards to receiving double time compensation time when an employee works on a Sunday, instead of being paid double time in the paycheck. Mr. Bower requested to table this discussion until 2022.

## **COMMITTEE REPORTS**

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

Mr. Bower noted he and council-elect council members met to watch and review PSAB training for newly elected council members.

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

No Report

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

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

### **Treasurer’s Report for December 13, 2021:**

On-Line Bank Account Balances as of 12/13/2021:

General Account:	\$ 414,596.89
Water Account:	\$ 75,555.17
Sewer Account:	\$ 131,484.49
Reeds Beds – Sewer	\$ 4,965.82
Pool Account:	\$ 232.03
Payroll:	\$ 3,376.72
Recreation/Park Project:	\$ 584,169.85
Liquid Fuels:	\$ 235,521.15
Fire Fund:	\$ 75,555.24
Ambulance Fund:	\$ 26,591.50

Ms. Kunkel made a motion to approve the list of bills and transfers as presented on December 13th, 2021. Mr. Beck seconded this motion passing unanimously.

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

Mr. Stauffer deferred to executive session.

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

Ms. Lorah noted the BHASD student presenting her community service project was not in attendance this evening.

Ms. Lorah expressed her excitement with the amazing turnout for the tree lighting that was held on Sunday, December 5<sup>th</sup>, 2021.

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

Mr. Polinsky gave a general update on street matters including the results of speed limit studies, areas that could use corrections and possible reorganization, and requirements in regards to one-way streets.

Mr. Polinsky also shared a request received from East Penn Manufacturing in regards to the movement of a current crosswalk on Cleveland Street. After further discussion council agreed to research this matter and area and table this discussion and decision until further notice.

### **Utility Committee – (Mr. Beck)**

Mr. Beck presented an accounts receivable update for the water and sewer accounts.

## **ENGINEER'S REPORT**

Engineer Charley Myers discussed the permit and construction issues at 32 South Herbein Drive along with homeowner Ms. Donna Bauer. After further discussion, no action was taken on this matter and the contractor will remove and correct all concerns and make the apron and sidewalk compliant.

### **1. Annual Reporting**

#### **PADEP:**

The 2021 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, 2022.

#### **DRBC:**

The Annual Effluent Monitoring Report is due to be submitted to the DRBC by January 31, 2022. This will be submitted once we receive the data from December.

2. **DEP MS-4**

**MS4 Annual Report to DEP** – December is the half way point through the MS4 permitting year. Isett is currently reviewing completed tasks and preparing a status report for any remaining items to be addressed in the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2022. MS4 status report for January.

**MS4 Program Items** – No new items this period.

**Perennial Stream Brush Clearing** – Field report provided on 11/12 with follow up conference call on 11/22 to discuss recommendations for winter maintenance, stabilization of spot areas, and next steps.

**Berks County MS4 Steering Committee** – no additional info this month. Next meeting to be held January 20, 2022.

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

- Plans are undergoing contract management review. The plans were last submitted on Thursday (12/9/21). Any additional comments are anticipated early this week.
- Advertisement for the project will take place either this Thursday (12/16) or Thursday (12/23).
- The title sheet was signed by Isett and has been dropped off to District 5-0 for signing as of 12/13/21.
- Check in with PennDOT and the Borough was held today (12/13/21). Next meeting is TBD.

4. **Toad Creek**

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

Current Contract Value \$96,025

5. **Washington Street Pumping Station**

Projected project schedule is as follows:

Finalizing Permit documents with PADEP currently!	
Bid Project	January/February 2021
Construction – Manufacture	March through June 2022
Construction – Field	July 2022
Shakedown/Finish	August 2022

## **OLD BUSINESS**

President Council Toby Bower took a moment to thank all current council members for all of their hard work and dedication to the borough the last couple of years.

Ms. Lorah also thanked Mr. Bower for stepping into the presidential role and all of his hard work as well over the last couple of years.

## **Executive Session**

A motion was made at 9:03pm by Mrs. Moll to enter into an executive session to discuss potential litigation and personnel matters. This motion was seconded by Ms. Lorah passing unanimously.

A motion was made at 9:50 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 9:51PM on a motion by Mr. Beck, seconded by Mr. Polinsky.

Next Borough Council meeting will be held on December 27<sup>th</sup>, 2021, at 7:00PM.

Respectfully Submitted,  
Sherry Palinkas  
Borough Secretary