

***MINUTES OF THE
BOROUGH OF TOPTON
BOROUGH COUNCIL MEETING
Monday, February 28th, 2022***

The regular semi-monthly meeting of the Tipton Borough Council was called to order by Council President Bower at Borough Hall, 205 South Callowhill Street, Tipton, PA 19562 at 7:00 PM. Present were Mayor Biltcliff, Council Members T. Bower, C. Cook, A. Falcone, E. Polinsky, M. Lorah, E. Stoudt and M. Stoudt, Solicitor Andy George, and Borough Manager Stacy C. Milo.

The meeting was opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Polinsky made a motion to approve the minutes of December 27, 2021. Mrs. Stoudt seconded this motion. The motion passed unanimously.

SOURCE WATER PROTECTION PRESENTATION

A Source Water Protection Plan presentation was presented by Rhonda Hakundy-Jones, P.G. from the Source Water Protection section of PA Department of Environmental Protection Safe Drinking Water Program in the Southcentral Regional Office. Ms. Hakundy-Jones informed Council that the plan will be completed in the next two months and presented to Council for approval.

HOMETOWN HEROS BANNERS PRESENTATION

Mr. Daniel Mark gave a presentation regarding Hometown Heroes banners that he and his former students, who created this project's website, to be placed on poles in the Borough. Mr. Mark explained that the banners had been approved two years ago before COVID, but, due to the COVID shutdown, the project was put on hold. Mr. Mark asked Council to try to answer some outstanding questions regarding details of the program. Visitors also asked questions and made suggestions. A member of the Legion Post 217 was also present to ask questions and also notify Council that they will be sponsoring the first 10 banners. Mr. Mark will meet with his student group, make the proposed changes, and come back to Council to finalize the program.

COMMUNICATIONS

Ms. Milo shared that the Borough received a verbal communication from Arthur Hahn resigning from the Vacancy Board. On a motion by Mr. Polinsky and seconded by Mrs. Stoudt, the resignation of Mr. Hahn was accepted. This motion passed unanimously.

Ms. Milo shared that the Borough received a verbal communication from Mr. Rauenzahn resigning from the Building Codes Appeal Board and a written communication from Mr. Reitmeyer resigning from the Building Codes Appeal Board. On a motion by Mr. Polinsky and seconded by Mrs. Stoudt, the resignations of Mr. Robert Rauenzahn and Mrs. Kenneth Reitmeyer were accepted. This motion passed unanimously.

Ms. Milo received a communication from Ms. Monica Kunkel, the designee (Council's representative) to the Topton Community Ambulance Board, submitting their end of year report, including their internal audit, and financial position for 2021 to Council. Ms. Kunkel advised that they are doing well.

MAYOR'S REPORT

Mayor Biltcliff noted that the Borough still has not had any snow emergencies during this winter.

POLICE REPORT

Chief Ulshafer reviewed his January 2022 report. He gave an activity recap along with some specific, significant activities. He also gave an update on police personnel and equipment. He offered to hold presentations in the community on fraud/scams/identity theft.

HEARING OF VISITORS

Mr. Michael Weidman and members of the local Boy Scout troop were present to earn merit badges.

Mr. Alexander Elliker, representing Mr. Dise, asked Council for the status of Mr. Dise's, of 82 Hoch Avenue, request regarding his water meter. Mr. Elliker provided additional information to Council and was advised that Council would be discussing the matter in Executive Session at the end of this meeting.

SOLICITOR'S REPORT

Attorney Andy George, Kozloff Stoudt Attorneys, acted as solicitor since Attorney London was unable to attend.

Attorney George discussed the proposed Act 50 Small Wireless Telecommunication Facilities Ordinance. Mr. Polinsky made a motion to authorize the solicitor to advertise the ordinance and public hearing. Ms. Cook seconded this motion. The motion passed unanimously.

Attorney George discussed the proposed Traffic Calming Ordinance. Mr. Polinsky explained the missing items needed to complete the ordinance. Voting to advertise will be tabled until the next Council meeting.

Attorney George discussed the proposed Mayor and Borough Council Compensation Ordinance. Mr. Polinsky made a motion to authorize the solicitor to advertise the ordinance. Mr. Stoudt seconded this motion. Ms. Falcone requested a roll call vote: Mr. Bower – yes, Ms. Cook – yes, Ms. Falcone – no, Mr. Polinsky – yes, Ms. Lorah – yes, Mr. Stoudt – yes, Mrs. Stoudt – yes.

Attorney George explained that Attorney London has information regarding the drinking water well inter-municipal agreement and directed Council to defer this matter until next month.

There was some clarification regarding Appointment of Open Elected Offices regarding "write in" candidates.

BOROUGH MANAGER

Ms. Milo noted that we need an Alternate Representative for the BCCPC. Ms. Falcone made a motion to adopt Resolution 16-2022, as amended, to designate Trynda Schoonover the Alternate Representative of BCCPC. Mr. Polinsky seconded this motion. The motion passed unanimously.

Ms. Milo requested Council name Trynda Schoonover as the Open Records Officer. Mr. Polinsky made a motion to designate Trynda Schoonover the Open Records Officer. Mr. Stoudt seconded the motion. The motion passed unanimously.

Ms. Milo requested Council appoint Trynda Schoonover as the Assistant Treasurer. Mr. Polinsky made a motion to appoint Trynda Schoonover as the Assistant Treasurer. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Ms. Cook made a motion to adopt Resolution 17-2022, as amended, regarding the Grant Application for Washington Street through PA DCED LSA. Mr. Polinsky seconded the motion. The motion passed unanimously.

Ms. Milo advised that Mr. Werst approached the Borough regarding the Topton Borough Preservation Board bank/depository and asked Council to allow the Board to use the Borough's FEIN number to set up a proper bank account. Mrs. Stoudt made a motion to authorize the Topton Borough Preservation Board to use the Borough's FEIN number. Ms. Lorah seconded the motion. The motion passed unanimously.

Ms. Milo discussed the Berks County Conservation District Draft Memorandum of Understanding, which is executed every five years, and asked Council to give her any questions or comments in the next couple of weeks.

Mr. Bower and the rest of Council discussed the Committees of Council and asked for residents of the community to help on those Committees. It was noted for the record that committee members would be volunteers and would not have terms with limits and there will not be a limit to the number on committees.

Ms. Milo informed Council that the Borough of Topton Emergency Operations Plan has been reviewed and is up-to-date and Berks County will be notified of this.

Ms. Milo advised that the tax collector's financial statements for year ending December 31, 2020 have been completed and are available for review.

Ms. Milo discussed that the PAMA Annual Conference is being held August 7 – August 10, 2022 in Erie, Pennsylvania and will request authorization to attend when the costs to attend are available.

COMMITTEE REPORTS

Public Relations and Special Events Committee – (Bower)

Mr. Bower provided an update on the Topton Memorial Pool and reviewed the Engineer's Initial Structural Assessment. Council and the Engineer discussed this assessment and costs associated with addressing this matter.

Ms. Julie Nolan, of 218 E. Keller Street, asked if the Borough could receive assistance from the State to help fund the pool. The Engineer advised that the Borough cannot get money to do maintenance or demolish the pool; funding may only be sought for a finished product and is difficult to get for the amount of money needed to build a new pool.

Council, the Engineer, and residents had a discussion about Topton's past, present, and future and planning and funding for the future. It was also discussed to not go forward to the next step until the Borough has a plan in place and how to fund the plan.

Environmental and Quality of Life Committee – (Cook)

No Report

Personnel and Policy Committee – (Falcone)

Ms. Falcone advised that a review of the employee handbook is underway for possible updates. Ms. Falcone updated Council on staffing the Borough office. She would like to see an update to all Borough job descriptions. She advised Council that there will be an executive session to discuss further personnel matters.

Public Safety and Special Events Committee – (Lorah)

Ms. Lorah advised that the Yoder Foundation requested to use the park, not the pavilion, on April 9th for an egg hunt.

Ms. Lorah asked for an update from the Solicitor on the Norfolk Southern issue of snow along their tracks where people walk. Attorney George explained that Attorney London will be drafting a letter to Norfolk Southern to try to address this issue at Haas Street, Home Avenue, and Main Street.

Ms. Lorah advised that we need to make a plan regarding enforcing the Quality-of-Life Ordinance. The Engineer stressed that the plan must be consistent and thorough.

Council discussed sidewalks throughout the borough. Ms. Falcone suggested making this an agenda item to discuss in the future.

Streets and Property Committee – (Polinsky)

Mr. Polinsky advised that the paver has been received. With that in mind, he asked if the Borough has a street project in mind and wanted everyone to think about this before the next Council meeting. He also advised that Broad Alley is a possibility since Liquid Fuels may be used for that street. He will be meeting with the Engineer shortly to discuss possibilities and sources of funding, including grant funding for infrastructure. Ms. Lorah brought up the possibility of Oak Alley. The Engineer reminded that if Liquid Fuels are used to help fund a road, then all ADA compliant curb ramps, curbs and sidewalks need to be up to code. Mr. Polinsky advised that we do not have to do anything in 2022, he just wanted to start planning. He also invited everyone to attend the next CO-OP meeting in Borough Hall on March 17, 2022.

Mr. Stoudt and Council discussed waste haulers vehicles having an effect on our streets and alleys.

Mr. Polinsky advised that he is working on a school routes/walking plan with the BHASD schools. He will have a map for that shortly and will forward to Council once complete.

Parks & Recreation Committee – (Mr. Stoudt)

Mr. Stoudt said that the Borough received a request from Redeemer Church for use of the park and pavilion for Vacation Bible School. Mr. Dan Hoffstetter, a representative of the Church, explained to Council what they are planning to do, including possible bounce houses, water slides, pony rides, a magician, etc., and that the Church has insurance. The Church would like to use the park and pavilion July 17 – 21st 2022. Council agreed to the Church using the park and pavilion on these dates and asked Mr. Hoffstetter to return to Council with final details and logistics.

Ms. Milo advised that we were contacted by the YMCA regarding the annual summer park program. The YMCA would like to have a discussion with the Borough regarding their 2022 rates. They advised that the price would be going up due to staffing shortages. Mr. Stoudt and Ms. Milo will meet with the YMCA and then report to Council.

Mr. Stoudt asked about the leaking roof issues at the Maintenance Shop and the Snack Stand. Ms. Milo advised that the maintenance crew will be checking into the issue at the Snack Stand and the Engineer will be looking into the issue at the Maintenance Shop.

Ms. Milo informed Council that the park pavilion roof, that was damaged during a storm, is an insurance claim and is currently be handled by an insurance adjuster. Mr. Stoudt and Council discussed the roof's initial installation.

Finance and Utility Committee – (Mrs. Stoudt)

Treasurer’s Report for February 28, 2022:

On-Line Bank Account Balances as of 02/28/2022:

General Account:	\$ 319,884.80
Water Account:	\$ 192,442.28
Sewer Account:	\$ 75,932.57
Reeds Beds – Sewer	\$ 5,000.43
Pool Account:	\$ 232.03
Payroll:	\$ 5,332.95
Recreation/Park Project:	\$ 325,551.55
Liquid Fuels:	\$ 235,525.15
Fire Fund:	\$ 76,350.70
Ambulance Fund:	\$ 21,341.47

Mrs. Stoudt made a motion to approve the List of Bills and Transfers dated January 10 through February 28, 2022 and to enter the List of Bills and Transfers as an attachment to the minutes, with the exception of any portion that benefits Mrs. Stoudt. Mr. Stoudt seconded the motion with the exception of any portion that benefits Mr. Stoudt. The motion passed unanimously.

Ms. Stoudt advised that \$24,597.83 is the balance of unpaid water bills as of today.

Ms. Stoudt advised that the Borough has approximately 63 meters that are not working properly and approximately 90 meters that are not reading properly. The Water Department employees have started tagging areas to replace meters and the work is going well so far. Mrs. Stoudt added that more meters have been ordered in order to continue the process. There was a discussion about how to handle if a resident requests that their meter be replaced/repaired during off hours, costs of new meters, and doing an analysis of those accounts that will be getting new meters.

ENGINEER’S REPORT

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 was submitted to the DRBC on January 28, 2022. No exceedances noted in the report.

2. **DEP MS-4**

MS4 Annual Report to DEP – MS4 progress report was circulated, and Borough has been forwarding documents of completed items to Isett for annual report file.

MS4 Program Items – assisting program items, as needed

Perennial Stream Brush Clearing – No change. Borough to confirm vegetation cleared by staff in preparation for channel survey.

Berks County MS4 Steering Committee – committee reviewing options to repeat the stormwater video contest for students in 2022. Details to be circulated to members after the April meeting.

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

- The project was let on 1/13/22, awarded on 2/1/22
- Project was awarded to Grace Industries, Inc.
- Construction is anticipated to begin on (NTP) 4/11/22 and end on 12/2/22.

4. **Toad Creek**

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

Current Contract Value \$96,025

Contractor plans to start work week of February 28th – weather pending. The contractor would start the work near the Toad Creek bar first. Contractor to provide change order for the tree plantings, grass cutting, and seeding near the school. If tree planting grass, and seeding is approved then contractor expects the work to take 2 – 3 weeks.

5. **Sewage Treatment Plant Reed Beds**

In September, the treatment plant operators suspended wasting sludge to the reed beds so that the beds can be cleaned in the spring. No sludge is allowed to be applied to the beds for a period of 6 months prior to removal of the sludge and disposal at a landfill.

A permit is required for disposal at a landfill. The permit application requires laboratory analysis of the sludge. Suburban Testing labs will be picking up the samples on Wednesday, February 16 and the lab report will be available by the end of the month. Once the lab report is provided, the sampling results can be entered on DEP's Form 43 which will then be forwarded to the appropriate Landfill operator to complete and submit to DEP.

J.P. Mascara has provided a proposal to haul the sludge to their landfill. Their cost is \$84/ton plus \$600/load. We estimate the total cost to be about \$70,000. Mascara's proposal was based on the Borough excavating the sludge and loading the trucks.

It has been 8 years since the reed beds were last cleaned.

6. DCEC Multimodal Grant – Callowhill Street Calming

Project includes two speed humps with warning signs and markings, and ADA ramps with crosswalks at Barkley and Callowhill Intersection. Estimated construction costs are \$168,600. All work to be in the road ROW so no easements required. The sketch plan was approved by the Borough. The next step is construction plans, specifications, bids, and construction. **The topographic survey was completed week of 2/22.**

Projected project schedule is as follows:

Construction Plans and Specifications	March 2022
Finalize Bid documents	April 2022
Bid Project	May 2022
Construction	June 2022
Final Inspection & Project Close-out	July 2022

OLD BUSINESS

None

EXECUTIVE SESSION

A motion was made at 10:25PM by Ms. Lorah to enter into an executive session to discuss potential litigation and personnel matters. This motion was seconded by Mr. Polinsky. The motion passed unanimously.

ADJOURNMENT

Ms. Lorah made a motion to return to the regular meeting at 10:58PM. Mr. Stoudt seconded the motion. The motion passed unanimously.

Ms. Lorah made a motion to adjourn at 10:59PM. Mr. Stoudt seconded the motion. The motion passed unanimously.

The next regular Borough Council meeting will be held on March 14th, 2022, at 7:00PM.

Respectfully Submitted,
Stacy C. Milo
Borough Secretary