

***MINUTES OF THE
BOROUGH OF TOPTON
BOROUGH COUNCIL MEETING
Monday, March 14, 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, M. Stoudt, Solicitor Joan London, Charley Myers, PE, and Borough Manager Stacy C. Milo.

The Pledge of Allegiance was performed.

Council President Bower requested a motion to amend the agenda under Personnel and Policy Committee. Mr. Polinsky made the motion to amend the agenda. Mr. Stoudt seconded the motion. The motion passed unanimously.

Mr. Bower announced that an executive session occurred prior to the regular meeting to discuss personnel matters and potential litigation.

A presentation was given by Mr. Daniel Mark, the STEM teacher at Brandywine Heights Middle School, regarding the Brandywine Heights Area Hometown Heroes banners. Ms. Lorah make a motion to participate in the Brandywine Heights Area Hometown Heroes banners project. Mr. Stoudt seconded the motion. The motion passed unanimously.

APPROVAL OF MINUTES

None

COMMUNICATIONS

Ms. Milo advised that the Borough received a communication from Victor Grande requesting a waiver from review for a Land Development Plan for BHASD, which was submitted to and reviewed by Longswamp Township and reviewed by the Berks County Planning Commission. Present were Mr. Andrew Potteiger, Superintendent of BHASD, and Victor Grande, RETTEW Associates. Mr. Grande presented a brief description of the proposed plan, the absence of development on this property at this time, and the request to Council to waive review of this plan due to the lack of any impact on the Borough of Tipton. Solicitor London and Mr. Myers explained the request and the lack of development/impact on the Borough. Mr. Potteiger addressed Council to advise that this land is expected to potentially be used for sports fields in the future.

Upon review of this information and after further discussion, Mr. Polinsky made a motion to waive land development review for the BHASD plan. Ms. Lorah seconded this motion. The motion passed unanimously.

MAYOR'S REPORT

Mayor Biltcliff advised that there were no snow emergencies this season to date and praised the crew (Borough Road Crew) for their great work with snow removal. Mr. Polinsky agreed.

POLICE REPORT

Chief Ulshafer was present for questions and presented a report for the month of February by Fleetwood Police within the Borough of Tipton. Chief Ulshafer also gave an update on their staffing and equipment.

HEARING OF VISITORS

Ms. Kendra High asked about the digital sign, suggesting the Borough consider allowing the public to advertise personal messages on the sign for some revenue. Ms. High also asked about the dog park and was planning on donating money, but, since the park is fully funded, she would like to donate to allow Stacy McClane to do some dog training at the dog park. Ms. High asked for the park's status. Mr. Polinsky explained that the project is pending until the weather is warmer. Ms. Lorah asked Ms. High to contact her to discuss further. A discussion occurred including safe entry, different dog sizes, and planning times by dog size.

Mr. Don Hickman from the Longswamp Township Board of Supervisors explained that he wanted to know about the Drinking Water Well Inter-Municipal Agreement Status listed on the agenda. Mr. Hickman explained that maybe between the two of us we could do something. Solicitor London greeted Mr. Hickman and explained that she and the Longswamp Township's solicitor have communicated regularly about this matter and have reviewed where they have common ground and where they disagree. Ms. London has suggested some benchmarks and would like to see some progress made. Ms. London stated that the Borough wants to work with the Township on developing a secondary site (of drinking water) that is of mutual benefit. Mr. Hickman noted he would like to try to work together and suggested a few members of Council and a few members of the Board get together without professionals to find out where each stands and go from there. Solicitor London suggested one Township Manager/Borough Manager and one Supervisor/Council meet for an initial meeting and having a future meeting with the solicitors and engineers present. Mr. Hickman agreed that any meeting should comply with the Sunshine Act.

Mrs. Wendy Scott asked if there is a way to make public meetings easier to access for those, who cannot attend in person but can attend virtually. There was some discussion about options to address this issue. Mr. Bower directed Ms. Milo to address this in the future.

SOLICITOR'S REPORT

Solicitor London provided an update on the status of the Act 50 Small Wireless Telecommunications Facilities Ordinance and advised that a public hearing, to consider the ordinance, is scheduled for April 11, 2022 at 7:00PM prior to the regular council meeting. Solicitor London stated that Council will vote on this ordinance immediately following the public hearing.

Ms. London and Mr. Polinsky discussed the draft Traffic Calming Ordinance. Mr. Polinsky asked that this ordinance be tabled for a future date when it is determined what is necessary and needed for traffic calming policy and procedure by a Traffic Calming Policy Committee.

Mr. Polinsky made a motion to adopt the advertised Mayor and Borough Council Compensation Ordinance. Mr. Stoudt seconded this motion. The motion passed with a vote of 6 to 1, with Ms. Falcone opposed.

ORDINANCE NO. 02 - 2022

AN ORDINANCE OF THE BOROUGH OF TOPTON, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 31 ENTITLED "BOROUGH OFFICIALS AND EMPLOYEES", OF TITLE III TITLED "ADMINISTRATION", OF THE CODE OF ORDINANCES OF THE BOROUGH OF TOPTON, FIXING THE SALARIES FOR BOROUGH COUNCIL AND THE MAYOR OF THE BOROUGH.

BOROUGH MANAGER

Ms. Milo agreed with Mr. Biltcliff and Mr. Polinsky that the staff did a great job with the snow. Ms. Milo also noted that the Borough may have enough salt for next season.

Ms. Milo also wanted to advise the public that there was wind damage to the pavilion roof and that the Borough's insurance company is now handling the matter. She hopes that it will be repaired soon. Mr. Stoudt noted that the doors to the basketball court were damaged multiple times and have been removed; it has been decided to not replace these gates. There was some discussion regarding the rules of the park, specifically people in the park after dark, the park's lights, park safety, volunteer park/crime watch, cameras, and people in the park policing others.

Ms. Milo advised that a letter was sent last Fall to property owners along the watercourse, which runs between West Weis Street and beyond Walnut Drive, to inform them that the Borough's Engineer, Christine Mildner, would be studying the watercourse. Ms. Milo also informed Council that Borough staff will be meeting with Ms. Mildner on March 16th at the watercourse to learn how to maintain the watercourse and how to instruct homeowners to maintain the watercourse.

Ms. Lorah asked Ms. Milo the height to which any tree branches must be trimmed according to our Quality of Life ordinances. Mr. Myers informed Ms. Lorah that the height is 8 feet. Ms. Milo reminded Council and the public that the Quality of Life ordinances' restrictions for outdoor areas of properties will be monitored, e.g. weeds, grass, branches, as well as outdoor code compliance issues, now that it is Spring.

COMMITTEE REPORTS

Public Relations and Special Events Committee – (Bower)

Mr. Bower provided Council with a list of Special Events for 2022 with estimated costs. Mr. Polinsky asked about the status of the Senior Lunch for 2022. Mr. Bower will contact Ludwig's Funeral Home and report to Council on this matter.

Environmental and Quality of Life Committee – (Cook)

Ms. Cook informed the Borough Engineer that she had found a nursery/supplier for 500 different PA native trees in the future. Ms. Cook asked Mr. Myers for the point of contact for Berks County Conservation District.

Personnel and Policy Committee – (Falcone)

Ms. Falcone made a motion to change the job classification status of Trynda Schoonover, who is currently part-time, to full-time with her current benefits to be retroactive, effective immediately. Mr. Polinsky seconded the motion. The motion passed unanimously.

Ms. Falcone made a motion to change the pay rate for Trynda Schoonover from \$23.00 per hour to \$24.00 per hour effective immediately. Mr. Polinsky seconded the motion. Mr. Bower: No; Ms. Cook: Yes; Ms. Falcone: Yes; Mr. Polinsky: Yes; Ms. Lorah: No; Mr. Stoudt: Yes; Mrs. Stoudt: Yes. The motion passes by a vote of 5 to 2.

Ms. Falcone noted that the next item is an amendment to the agenda. Ms. Falcone explained that the Borough had received applications for the part-time administrative position. Ms. Falcone made a motion to hire Mrs. Kaye Sward at an hourly rate of \$17.00 for the position subject to a probationary period per the Employee Handbook. Mr. Polinsky seconded the motion. Mr. Bower: Yes; Ms. Cook: Abstained; Ms. Falcone: Yes; Mr. Polinsky: Yes; Ms. Lorah: Yes; Mr. Stoudt: Yes; Mrs. Stoudt: Yes. The motion passed. Mr. Bower directed Ms. Milo to contact Mrs. Sward. Solicitor London reminded Ms. Cook that she will need to fill out an Abstention Form, which will be attached to the minutes of this meeting.

Public Safety and Special Events Committee – (Lorah)

Ms. Lorah discussed clearing of snow at all of the Norfolk Southern railroad crossings in the Borough (at Haas Street, Home Avenue, and Main Street). Ms. Lorah requested the Solicitor send the letter, which the Solicitor drafted, to Norfolk Southern. Ms. Lorah, Mr. Polinsky, and Ms. London discussed this issue. Mr. Don Hickman advised that a safety issue on railroad property is federal and the Borough should contact the Federal Railroad Administration and copy the State Senator on the letter. Ms. London will send a letter to the Federal Railroad Administration and copy the local contact for Norfolk Southern, the State Senator, and the State Representative. Mr. Hickman offered to help the Borough with any railroad matters.

Streets and Property Committee – (Polinsky)

Mr. Polinsky advised that East Penn has asked the Borough to modify the crosswalk at Cleveland Street. Council had no objections to Mr. Polinsky looking into this further.

Mr. Polinsky advised that he met with Mr. Potteiger and some other representatives from BHASD to put together School Zones and Walking Routes in the Borough. Mr. Polinsky advised that BHASD would like to put an additional color, maroon, on the crosswalks to bring additional visual reminders to drivers. Mr. Polinsky also gave some details to this

project. Mr. Polinsky will present the planned route to Council once PennDOT has approved the plan but the TASA project will affect the plan.

Mr. Polinsky discussed the idea of not doing a paving project this year since the Borough did not plan to do any streets. Mr. Polinsky had a few concerns, including getting on the CO-OP paving schedule during the upcoming CO-OP meeting. Mr. Polinsky discussed milling out the humps on a section of North Main Street and oiling and chipping North Main Street. Mr. Polinsky also discussed CDBG funding requested from Berks County for curb cuts. Ms. Falcone asked about the cost to patch, oil and chip that section of N. Main Street; Mr. Polinsky advised that it is approximately \$23,000.00. Mr. Myers explained the purpose of oiling and chipping a road's surface. Mr. Polinsky also explained that he will be making a list of all streets and when they will be paved.

He also advised that he is looking to get some rubber speed bumps to try to help with the traffic calming on Hoch Avenue and/or Charles Drive, depending on the cost. Ms. Lorah brought up the issue of the multiple trash haulers driving on the streets in the Borough and how this affects the condition of the roads. Ms. Lorah also is asking to make Oak Alley a priority for repaving. Ms. Milo advised that Oak Alley is not eligible for use of Liquid Fuels funds. Mr. Myers stated that he will get information to the Borough about what is needed for Oak Alley.

Ms. Kendra High and Mr. Polinsky discussed paving this year, East Penn/Deka vehicles using our streets, the need to improve alleys, signage to Deka when vehicles enter the Borough, requesting donation from Deka, state-funding for roads, and the Borough paying for asphalt.

Parks & Recreation Committee – (Mr. Stoudt)

Mr. Stoudt reminded everyone that the TCOC Egg Hunt is at the park on April 16th at 10:00AM.

Mr. Stoudt advised that he met with the Topton Swim Team, they advised that they are going to run the team out of Fleetwood's pool this year. The swim team will be taking their shed and other supplies with them.

Mr. Stoudt noted that he will be meeting with baseball and softball soon.

Mr. Stoudt and Ms. Milo met with the YMCA; the funds the Borough pays to them will remain the same (at \$6,500). However, the amount that residents pay will go from \$40 to \$60 and non-residents will go from \$90 to \$130. The program will remain the same as last year. If they do not get enough children to participate, they will not be providing the program. There were 86 participants last year.

Finance and Utilities Committee – (Mrs. Stoudt)

Mrs. Stoudt reviewed the Borough account balances presented by the Borough Manager.

Treasurer's Report for March 14, 2022:

On-Line Bank Account Balances as of 03/14/2022:

General Account:	\$ 289,147.73
Water Account:	\$ 202,524.18
Sewer Account:	\$ 71,620.79
Reeds Beds – Sewer	\$ 5,000.47
Pool Account:	\$ 232.03
Payroll:	\$ 5,280.11
Recreation/Park Project:	\$ 325,556.00
Liquid Fuels:	\$ 300,144.31
Fire Fund:	\$ 76,351.28
Ambulance Fund:	\$ 21,341.63

Mr. Stoudt made a motion to approve the list of bills and transfers as presented on March 14, 2022. Mr. Polinsky seconded this motion. The motion passed unanimously.

Mrs. Stoudt presented an accounts receivable update for the water and sewer accounts. Unpaid water and sewer accounts will have water shut off on approximately March 21, 2022.

Ms. Milo advised that 40 out of the 50 meters that were to be swapped out have been swapped out.

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. Topton's report will be submitted this week.

2. DEP MS-4

MS4 Annual Report to DEP – Borough continues to work on MS4 program items, as needed. Isett to schedule a meeting with Borough Manager to discuss 2022 workloads.

Perennial Stream Brush Clearing – Isett meeting with Borough staff on Wednesday, March 16th to review clearing and preparation of the stream channel.

Berks County MS4 Steering Committee – see attached educational workshop availability. "Funding Natural Stormwater Infrastructure: A Workshop Series" by American Rivers. Sessions begin May 2022.

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: Work is ongoing and expected to be completed this spring. The contractor has presented Change Order #2. This includes:

- Trees and seeding work on School District Property
- Additional work at Toad Creek Bar Property
- Adjusting drainage outlets in park
- Remobilization

Grant funds summary (From BCCD):

- Remaining Construction Funds = \$190,768.48
- Change Order #2 – Contract Total for Project: \$100,050.00
- Total funds left after completion of Phase II contract: \$90,718.48

5. Sewage Treatment Plant Reed Beds

Current plan is for the hauling of the sludge to be bid, with award at the April council meeting.

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 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

Mr. Polinsky made a motion to approve the TASA Change Order for the BHASD for Toad Creek Area. Mrs. Stoudt seconded this motion. The motion passed unanimously.

ADJOURNMENT

Council adjourned at 8:46PM on a motion by Ms. Lorah, seconded by Mr. Polinsky.

The next regular Borough Council meeting will be held on April 11, 2022, at 7:00PM.

Respectfully Submitted,
Stacy C. Milo
Borough Secretary