

**MINUTES OF THE
BOROUGH OF TOPTON
BOROUGH COUNCIL MEETING
Monday, November 14th, 2022**

The regular semi-monthly meeting of the Tipton Borough Council was called to order by Council President Lorah at Borough Hall, 205 South Callowhill Street, Tipton, PA 19562 at 7:00 PM. Present were Mayor Biltcliff, Council Members C. Cook, A. Falcone, M. Kunkel, M. Lorah, E. Polinsky, E. Stoudt, and M. Stoudt, Solicitor Joan London, Engineer Charley Myers, PE, and Borough Manager Stacy C. Milo, and Borough Secretary Courtney M. Corona.

The meeting was opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Polinsky made a motion to approve the minutes of October 24th, 2022. Mrs. Stoudt seconded the motion. The motion passed unanimously.

COMMUNICATIONS

Ms. Lorah presented a letter from Tipton Community Outreach Club regarding their 66th Annual Halloween Parade. The letter contained a thank you from TCOC for the Boroughs' help in their event. After reading the letter, Ms. Lorah informed Council that TCOC did not submit their funding request for 2023 and explained that the Borough incurs costs every year for the parade. Ms. Lorah informed Council that the Borough budgets for the parade even though TCOC does not ask for funding, and more than \$4,500 of Borough funds was spent on the parade this year. Ms. Lorah also stated there was an issue getting Fire Police for the event this year. Ms. Lorah explained that if the same problem arises next year, a flagger force will need to be hired at an additional cost of \$2,000. Ms. Milo stated that TCOC itself spends about \$17,000 on the parade from their own fundraising.

Ms. Lorah presented a letter of resignation from Borough Tax Collector, Susan Davis, effective at the end of 2022. Mrs. Stoudt made a motion to accept the resignation. Ms. Falcone seconded the motion. The motion passed unanimously. Ms. London advised Council that a new Tax Collector will need to be appointed by January. Ms. London advised Council to start advertising now for the position.

MAYOR'S REPORT

The Mayor had nothing to report.

POLICE REPORT

Officer Mike Quinn presented the police report for the Borough for the Month of October. He informed Council that there were 5 citations issued in October; 5 parking tickets, 2 stop sign violations, and 3 speed infractions. Officer Quinn also informed Council that the body cameras are set up for use after many months of collaboration. He also stated that Fleetwood Police

Department will be hosting their annual holiday event “Cocoa with a Cop” on December 3rd at the Fleetwood Community Center.

Mayor Biltcliff informed Officer Quinn that there has been an excessive amount of cars parked the wrong way on the streets. He asked Officer Quinn if they can keep a closer eye out to ticket those cars.

HEARING OF VISITORS

No community members were present. Mr. Myers introduced another Barry Isett and Associates Engineer. Bryan Smith, Head of Architecture for Barry Isett and Associates, attended the meeting to provide insight and answer questions regarding the TASA project.

SOLICITOR

Ms. London provided an update on the status of the Memorandum of Understanding between Topton Borough and Longswamp Township regarding the secondary well site. Ms. London stated that Longswamp is asking for Topton of rescind the actions of 2021 and to be open to updating the Freehall and Woodside agreements that have been in place since the 1980’s. Council had no objections to the two requests.

Ms. London stated that she had no update regarding communication with Norfolk Southern to get permission to maintain the railroad property in the Borough.

Ms. London presented Council with Ordinance 5-2022, regarding speed limits within the Borough. Ms. London explained that the ordinance would lower the speed limit throughout the entire Borough to 25 MPH. Mr. Polinsky made a motion to adopt Ordinance 5-2022. Ms. Cook seconded the motion. The motion passed unanimously.

Mr. London presented Council with Ordinance 6-2022, regarding newly paved street opening and excavating with limitations and requirements. Ms. London explained that the ordinance creates a moratorium on cutting or excavating newly paved streets for 5 years, unless there is an emergency, and creates parameters for utility companies to repair and restore roadways when a certain amount of cuts are made. Mr. Polinsky made a motion to adopt Ordinance 6-2022. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Ms. London presented Council with Ordinance 7-2022, regarding the access of oversized trucks on Borough property. Ms. London explained that this ordinance would restrict commercial vehicles with a weight of 10,000 pounds or more from entering any Borough property without permission. Mr. Polinsky made a motion to adopt ordinance 7-2022. Ms. Kunkel seconded the motion. The motion passed unanimously.

Ms. London provided Council with a draft ordinance that would amend the property maintenance code and Quality of Life ordinance to require sidewalks and pathways, if sidewalk is absent, to be clear of snow 24 hours after the end of a snowfall. Ms. Cook asked Ms. London if the clearing of pathways would also include alleys. Ms. London stated that residents that have property along alleys would need to have a cleared walking path because an alley is also considered a right of way. Mrs. Stoudt expressed her dislike of this draft ordinance and stated that if safety is really

Council's main concern, Council would not pass this ordinance. Mrs. Stoudt stated that it would be safer for people to walk in the street than walk on uneven surfaces. Mrs. Stoudt also supported that Council would be asking a lot of the public works crew to clear paths like this on all borough property. Ms. London agreed with Mrs. Stoudt by adding that she has never been injured walking in the street, but she has been injured walking on uneven sidewalks. Ms. Kunkel advised Council to table the topic and the amended ordinance until the next regular meeting when everyone can thoroughly review the ordinance. Council agreed.

BOROUGH MANAGER'S REPORT

Ms. Milo provided Council with a revised version of the draft budget for 2023 and asked Council for questions. Council had no questions.

Ms. Milo asked Council if they still wanted to ask all the organizations that requested 2023 funding to attend and present their request in front of Council. Mr. Polinsky responded that attendance should not be required but each organization is welcome to attend. Ms. Milo asked Council if they would like to have a second meeting in the month of November. Mrs. Stoudt said that Council should definitely meet to discuss the budget and decisions relating to the budget. Council agreed.

Ms. Milo presented Council with the list of staff holidays for 2023. Mr. Polinsky made a motion to approve the list of staff holidays for 2023. Mr. Stoudt seconded the motion. The motion passed unanimously.

Ms. Milo asked Council for permission to close the office at 10am on December 20th, 2022 for Borough staff to have a holiday celebration. Ms. Milo explained that the office did not close for any function for the winter holidays in 2021. Ms. Milo also requested that Council approve closing the office to the public during the week between Christmas and New Year. Ms. Milo explained that this would give office staff time to gather financial records for the auditors and to perform year end close procedures. Mr. Polinsky made a motion to close the Borough office and dismiss borough employees at 10AM on December 20th and close the office to the public from December 26th through January 2nd. Ms. Falcone seconded the motion. The motion passed unanimously.

Ms. Milo informed Council that the Borough pension plan is currently being audited for the years 2018-2022 by the PA Department of Auditor General. Ms. Milo will supply Council with the results when received.

COMMITTEE REPORTS

Public Relations and Special Events Committee (Kunkel)

Ms. Kunkel informed Council that the Trunk-or-Treat event was a success this year. Ms. Kunkel stated that despite changing the date and location due to inclement weather forecasted for October 31st, everyone still had a wonderful time and many decorated cars participated. Mrs. Stoudt stated that the only problems with having the event in the Borough Hall parking lot were there was little light once the sun went down and there

was no walking pattern for going through the event which caused jams. Mayor Biltcliff suggested that next year Council passes a rain date and location just in case there is adverse weather again next year.

Ms. Kunkel shared a sincere thank you to all veterans in observance of Veterans Day on November 11th, 2022.

Ms. Kunkel provided an update on the Topton Ambulance Board. Ms. Kunkel stated that annual donation drive letters were mailed and should be received very soon if not already received. Ms. Kunkel explained that all property owners pay an emergency tax, but the donations the ambulance crew collects from drives create a financial cushion for the crew.

Environmental and Quality of Life Committee (Cook)

Ms. Cook provided a report on the Topton Preservation Board. Ms. Cook explained that Mr. Larry Werst is trying to get all preservation board members together for a meeting and has been unable to find a time that works for everyone. Ms. Cook is hoping to have an update for Council soon.

Personnel and Policy Committee (Falcone)

Ms. Falcone presented Council with a draft of a potential Water and Sewer Service Policy and explained that this policy is similar to a Kutztown policy on a similar topic. Ms. Falcone also emphasized how much time and effort she put into constructing the policy, modifying it for Topton's needs. Ms. Falcone asked Council for suggestions and corrections on the document. Ms. Lorah asked Ms. Falcone if the policy includes the Chain of Custody form for water meters. Ms. Falcone stated that the suggested form is incorporated into this policy. Ms. Lorah also asked Ms. Falcone if parameters for termination exceptions were being considered. Ms. Lorah explained that staff would not terminate service on the weekend or on holidays. Ms. Lorah suggested that Ms. Falcone include those procedures in the policy. Ms. Falcone agreed.

Public Safety and Special Events Committee (Lorah)

Ms. Lorah stated that the Topton Tree Lighting is scheduled for December 4th from 5:00 - 6:30 PM. Ms. Lorah stated that there will be light refreshments available, courtesy of our local organizations, and Santa and his elf will be in attendance for greetings and pictures.

Ms. Lorah also stated that the Borough is still accepting food donations for Friend INC. and encouraged residents to bring in non-perishable food items to the office at any time.

Streets and Property Committee (Polinsky)

Mr. Polinsky made a motion to adopt resolution 25-2022 to enter into an inter-municipal cooperation agreement to purchase and use an asphalt zipper and to authorize the Council president to execute the agreement. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Mayor Biltcliff asked if there will be other work performed for the paving project on Main Street before the spring. Mr. Polinsky explained that nothing will be done until spring when it will be oiled and chipped.

Parks and Recreation Committee (E. Stoudt)

Mr. Stoudt presented Council with a memorandum of understanding between Kutztown Borough and Topton Borough regarding the exchange of services, equipment, and pool and snack stand inventory. Ms. Falcone asked what the values are of all the items that we are giving Kutztown. Mr. Stoudt stated that an exact value is not known but what Topton is getting in exchange is a good deal. Mr. Stoudt made a motion to accept the memorandum of understanding between Kutztown and Topton. Mr. Polinsky seconded the motion. The motion passed unanimously.

Finance and Utilities Committee (M. Stoudt)

Mrs. Stoudt informed Council that the drought watch was lifted for Berks County on October 17th.

Mrs. Stoudt presented Council with Resolution 26-2022, regarding submitting an application for and the commitment of matching funds for the PA DCED Small Water and Sewer Program Grant for East Barkley Street water main replacement. Mrs. Stoudt stated that the match total would be \$62,211. Mrs. Stoudt made a motion to adopt resolution 26-2022. Ms. Cook seconded the motion. The motion passed unanimously.

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

On-Line Bank Account Balances as of 11/14/2022:

General Account:	\$ 78,779.31
Water Account:	\$ 98,389.90
Sewer Account:	\$ 193,389.49
Reeds Beds – Sewer	\$ 5,001.51
Pool Account:	\$ 232.03
Payroll:	\$ 5,550.90
Recreation/Park Project:	\$ 345,639.84
Liquid Fuels:	\$ 274,140.81
Fire Fund:	\$ 108,193.30
Ambulance Fund:	\$ 58,885.33

Mrs. Stoudt made a motion to approve the list of bills and transfers. Mr. Polinsky seconded the motion. The motion passed unanimously.

ENGINEERS REPORT

1. **PADEP Sewer and Water**
 - a. NPDES Permit for WWTP
 - i. Permit application is due to PADEP by 2/1/2023

- ii. Initiated work with Alex on Renewal – 9/19/22
- iii. Complete any necessary testing September and November of 2022
- iv. Have packet finalized December 2022
- v. Submit to PADEP January 2023

b. Media Replacement for Water Plant – In review

2. **DEP MS-4**

MS4 Annual Report to DEP – DEP is currently reviewing all MS4 annual reports submitted for compliance. Review letters are typically issued within 60 days. Any comments from DEP to Tipton Borough regarding MS4 tasks should be received by November 30th. Isett shall review any DEP comments and discuss MS4 programming options to achieve before July 2023.

Perennial Stream Work – Isett provided the Borough with the requested streambank maintenance information. Tasks on hold. Awaiting direction.

MS4 Training Videos – Isett forwarded educational videos of various MS4 related topics on 10/20/22. These videos can be used by staff towards MS4 training. They vary in length and were selected for ease of view during lunch breaks. Isett will continue to notify the Borough of upcoming events, conferences or webinars that can be applied towards the MS4 annual tasks.

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

- a. Bridge #3 would require an additional 5 helical piles due to the redesign; this is currently in review and pending costs of adjustments to Weis Street Sidewalk and Drainage. Submittals have been received and are under review.
- b. Construction is on hold until the stormwater design and helicals are resolved, so Grace is currently not working on site. We are anticipating restart shortly.
- c. As per PennDOT’s request, Grace is required to submit a new CPM schedule.

4. **Grants:**

- A. LSA Grant: Application is in for Keller Street: \$620,000
- B. East Barkley - \$385,000, will be the

5. **Washington Street Pumping Station**

Project is currently waiting for Grant Funding feedback, action expected in next couple of months.

6. **DCNR – Oak Alley Project**

DCNR has approved the alternate project, funds are being held for possible use on either Oak Alley or TASA.

7. **Topton Public Works Building Roof**

Report is in the hands of the Borough for action.

Mr. Myers again reminded Council that Bryan Smith from Barry Isett and Associates attended the meeting to answer questions about the TASA project. Mr. Smith informed Council that all entities involved in the project are working through a drainage problem on Weis Street and South Callowhill Street. Mr. Smith continued that additional survey information was gathered and will be submitted to PennDOT by the end of the week for review. Mrs. Falcone asked what will be done about the stakes sticking out of the ground

since she is afraid a child will fall and impale themselves on one of the stakes. Mr. Myers informed her that there is a meeting on Thursday for everyone to decide how the project needs to be winterized.

OLD BUSINESS

Mrs. Stoudt informed Council that the first 10 Hometown Heroes banners were installed by staff before Veterans Day. Mrs. Stoudt also stated that the next 10 banners will be ordered this week and 4 applications for the third round of banners have been received.

ADJOURNMENT

Council adjourned at 8:26PM from a motion by Mr. Polinsky, seconded by Ms. Kunkel. The next regular council meeting will be held Monday, November 28th 2022 at 7:00PM.

Respectfully Submitted,

Courtney M. Corona
Borough Secretary