

**MINUTES OF THE
BOROUGH OF TOPTON
BOROUGH COUNCIL MEETING
Monday, December 12th, 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 7:10 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.

Ms. Milo presented Mrs. Kathy Hassler with a Christmas present from the Borough. Ms. Lorah informed Council that Mrs. Hassler volunteers to clean the park, and she does an amazing job. Council and Ms. Milo thanked Mrs. Hassler for her kindness and dedication to the Borough.

Ms. Lorah stated that Council held an executive session prior to tonight's meeting to discuss personnel matters.

INTERVIEWS OF CANDIDATES FOR TAX COLLECTOR

Ms. Lorah informed Council that there were four candidates in attendance to become the Borough Tax Collector, Carole Eisenhart, Ginger Chalmers, Helen Osle, and Thomas Biltcliff. All candidates introduced themselves to Council. Mrs. Stoudt stated that one of the issues the public had with the 2022 tax collector is that she had very little sitting hours. Mrs. Stoudt asked the candidates what their availability would be for sitting hours if they were appointed. All candidates stated that they would not have a problem making themselves available for sitting hours every week. Ms. Lorah informed the candidates that Council wants the tax collector to have sitting hours a few nights a week in the Borough building. She also stated that once bills are printed with the hours on them, the tax collector must adhere to them.

Ms. Lorah asked all candidates to leave the meeting room and allow Council to deliberate. Ms. Falcone said that she believes all of them are great candidates. Ms. Polinsky said that he believes that Mr. Biltcliff is the most intimate with the issues that Council was having with the 2022 tax collector. Ms. Falcone expressed her support for Ms. Eisenhart and Mrs. Chalmers. She stated that Ms. Eisenhart is very conscientious and detail-oriented. Ms. Falcone stated that she has known Mrs. Chalmers for years, and she is a quality candidate as well. Ms. Lorah stated that her vote is for Mr. Biltcliff because he knows what is expected of the new tax collector, and he has been talking about running for the position in the next election anyway. Ms. Falcone stated that she is not in favor of Mr. Biltcliff being appointed as tax collector because he is a valuable asset as mayor.

APPOINTMENT OF TAX COLLECTOR FOR 2023

Ms. Kunkel made a motion to nominate Mr. Biltcliff as Tax Collector. Mr. Polinsky seconded the motion.

Cook – no, Falcone – no, Kunkel – yes, Lorah – yes, Polinsky – yes, E. Stoudt – yes, M. Stoudt – yes.

Mr. Thomas Biltcliff was appointed as the 2023 Tax Collector. Ms. London informed Mr. Biltcliff that he cannot hold two offices at the same time, and he will need to resign as mayor before the end of the year. Mr. Biltcliff asked Council to set his sitting hours as Wednesdays from 6-8PM, the second and fourth Sunday of the month from 2-4PM, and by appointment. Ms. Kunkel made a motion to approve the sitting hours of the 2023 tax collector. Mr. Polinsky seconded the motion. The motion passed unanimously.

APPROVAL OF MINUTES

Mr. Polinsky made a motion to approve the minutes from April 11th, 2022. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Mr. Polinsky made a motion to approve the minutes from June 16th, 2022, with corrections to add Ms. Kunkel to the attendees list. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Mr. Polinsky made a motion to approve the minutes from October 18th, 2022. Ms. Kunkel seconded the motion. The motion passed unanimously.

Mr. Polinsky made a motion to approve the minutes from November 14th, 2022. Ms. Kunkel seconded the motion. The motion passed unanimously.

Mr. Polinsky made a motion to approve the minutes from November 28th, 2022. Mr. Stoudt seconded the motion. The motion passed unanimously.

COMMUNICATIONS

There were no communications to report.

MAYORS REPORT

Mayor Biltcliff thanked Council and the community for putting up with him as Mayor for 17 years. He continued by stating he very much enjoyed his time serving, and he plans to still be very involved in the community. Mayor Biltcliff informed Council that they will need to begin looking for his replacement.

POLICE REPORT

Chief Ulshafer gave the police report for November 2022. He also informed Council that the police department hired another full-time officer, a new Sargent and Corporal were named, the new body cams are set up and being used, and he is currently looking for a new police cruiser. He stated that he has been having a difficult time trying to find a cruiser, and he has been told it could take up to a year to obtain one.

HEARING OF VISITORS

Representatives from the Brandywine Community Library were in attendance, and they read a letter they wrote to Council:

“Dear Topton Borough Council:

Thank you for your continued support of the Brandywine Community Library. We understand the budget challenges and decisions you are facing. We also continue to have expenses rise with decreasing funding. As a Board, we are already making hard decisions for our 2023 budget and continue to look for more fundraisers and grant opportunities to maintain and expand our library program offerings. Hearing of a proposed cut means we will have to consider cutting our programs. We hope to continue to work alongside you with these challenges. We ask that you continue the level of funding you have been providing the library so we can continue to serve the Topton Community.

Summer program participants from Topton totaled 91, with an additional 255 from other townships. We recently provided a free concert through our partnerships, attended events and provide educational programs directly to your community.

The library is more than just books. It is an endless supply of learning resources and programs. It is a pillar of community connection and support for our community.

Patrons upon hearing of potential need for cuts have provided this valuable feedback. We wanted to share the impact your support has on our community. Below you will see these comments. We look forward to serving your community to the fullest potential in 2023.

Thank you!

Brandywine Community Library

Board of Trustees

Jessica Bortz, Topton Representative

Amy Crouse, Board President”

Amber Hadley, Services Coordinator for the Brandywine Community Library, also spoke for the library. She stated that with the pool being closed this summer, she tripled her programming. She continued by stating that the children need a safe place to be, and everything they do is for the children.

Christine Lottes asked Council if people will be required to shovel a walking path through their grass if the proposed change to the Quality of Life ordinance is passed. Council stated that is something that residents would be required to do. Ms. Lottes stated that she is a walker, and it is more dangerous to walk on the sidewalk or in the grass than it is to walk in the street.

Troy Fairchild asked Council questions about the budget relating to the maintenance crews' salaries. Mr. Fairchild asked if there was a breakdown of hourly rates for the crew. Council informed him that raises were based on percentages, but not every staff member got the same percent. Mr. Polinsky stated that one public works member got 2%, and everyone else received 3%. Mr. Fairchild asked if what is in the budget now is higher or lower than what Ms. Milo

originally proposed. Mr. Polinsky stated that they are lower because what was proposed in the original budget is higher than what they believe Topton can afford.

Kathy Hassler stated that she believed the budget needs to be revamped involving salaries. She stated some employees are grossly underpaid, and there should be two full time people in the office. She continued by stating that the employees bust their hump for the borough, and how Council should show their appreciation is by giving adequate raises.

SOLICITOR

Ms. London provided an update regarding the Memorandum of Understanding between Longswamp Township and Topton Borough regarding the secondary well. She stated that Longswamp canceled their November 22nd meeting to discuss this, but she is certain it will be discussed soon.

Ms. London informed Council that she still has not been able to reach Norfolk Southern in regards to the maintenance of their property in Topton.

Ms. London provided an update regarding the Quality of Life ordinance amendment. She stated that the amendment on the table would require residents to clear a pathway from snow and ice where sidewalks would be; residents would not be required to clear snow in alleys or where sidewalks would not be. Mr. Polinsky asked who would be enforcing this new amendment. Ms. London replied that the Quality of Life Coordinator would be responsible for enforcing this. Mrs. Stoudt expressed her dislike of this amendment. Mrs. Stoudt stated that the Public Works Department would have to do an excessive amount of work to ensure Borough property is also up to the standard, and that this will put a lot of liability on the Borough and property owners alike and people are still going to walk in the street anyway. Ms. Helen Osle stated that the grass will get slushy and icy if you try and plow over it, and will not be a safe walking surface because it cannot be plowed clean. Ms. Osle would tell her children to still walk in the street instead of on plowed grass. Ms. Falcone stated that this whole issue stems from the Borough having ordinances stating that all houses need to have sidewalks and those ordinances not being enforced. Ms. Falcone also stated that the flip side of her statement is that the ordinances are discriminatory against people who have sidewalks versus people who do not. Christine Lottes asked if there have been issues of people walking on the streets. Mr. Polinsky answered, saying that this is mostly about the postal workers who walk around every day, but this will also be hard on Carol who is the Quality of Life Coordinator. Mrs. Stoudt stated that this amendment will invite people to walk on your property, potentially fall, and sue you. Ms. Falcone made a motion to authorize advertisement of the Quality of Life ordinance. Ms. Cook seconded the motion.

Cook – yes; Falcone – yes; Kunkel – yes; Lorah – yes; Polinsky – no; E. Stoudt – no; M. Stoudt – no

The motion passed with a 4-3 vote.

BOROUGH MANAGER

Ms. Milo informed Council that PSAB informed the Borough that the Department of Labor and Industry increased the unemployment withholding by 0.01%.

Ms. Milo informed Council that the administrator of our pension did not include the disability cost rate on our original MMO worksheet, which has now been revised for 2023 and provided to Council.

Ms. Milo informed Council that she revised the budget as they requested. She removed the salt shed from the Public Works budget and a new truck from the WWTP/Sewer budget. Ms. Milo also informed Council that, to cover the water and sewer operating costs, she proposes a 30% increase on both services. Mrs. Stoudt asked Ms. Milo if she came up with numbers for the 25% increase in sewer and no increase for water like Council talked about during the last meeting. Mr. Polinsky and Ms. Cook stated they wanted to see the rate increase be as low as possible during the last meeting. Ms. Milo stated that the fund surplus (account balance) in each account is less than was included in the budget to have by the end of 2022. Ms. Milo continued that a lower increase will not cover the necessary costs for the water and sewer funds without relying on the temporary ARPA funds.

Ms. Cook proposed that the Borough should have a reward system for residents, who conserve water and have low usages every quarter. Ms. Lorah stated that the reward for conserving water would be the low water and sewer bill they would receive. Helen Osle commented that a 30% increase will hurt the people in town living paycheck to paycheck. Mrs. Stoudt stated that she is not comfortable raising water and sewer rates as well as taxes all in the same year. Mrs. Stoudt also asked Mr. Myers what he believes the chances are for the Borough to receive the grant funding for the Washington Street Pump Station. Mr. Myers stated that the Borough's chances are good since the Borough is requesting to replace an old piece of equipment, but many sources are requesting this funding. Mr. Myers stated that there is also a chance that the Borough would only receive a portion of the funding request. Mr. Polinsky stated that he agrees that Council should roll the dice and lower the prices of water and sewer and gamble on the chances of receiving the grant. Mrs. Stoudt and Ms. Falcone verbally agreed. Ms. Milo informed Council that if they decide to lower the water and sewer rates increase by 10% as discussed, \$67,000 of sewer and \$36,500 of water will need to be adjusted somewhere in the accounts. Mr. Polinsky added that the price is going up to live in Topton, and if prices keep rising people will move out. Mr. Polinsky said that it makes him think hard about him and his family living here. Mr. Stoudt made a motion to increase water and sewer bills 20% and to not raise real estate/fire/ambulance taxes. Mr. Polinsky seconded the motion. The motion passed unanimously.

Mr. Polinsky made a motion to pass Resolution 27-2022 to keep the tax rate the same. Mr. Stoudt seconded the motion. The motion passed unanimously.

Ms. Cook informed Council that since the pool is no longer open, the Borough should no longer be giving the swim team money out of the 2023 budget. Ms. Milo informed Ms. Cook that the swim team has not been allocated any funds from the 2023 budget. Ms. Cook stated that the Borough should also not be giving a contribution to the YMCA park program because there is only a small amount of Topton children who attend the program. Ms. Cook also stated that the

Borough should not give money to the Topton Halloween parade. Ms. Cook also reiterated that she believes the Borough should cut their funding to Brandywine Community Library by \$5,000. She again stated that the Borough gives a greater amount of money to the library, but the Borough has the lowest population compared to the other municipal contributors. Mr. Polinsky stated his disagreement with everything that Ms. Cook proposed. Mr. Polinsky asked Ms. Cook why people would choose to live in Topton if there was nothing to do in town.

Mr. Polinsky made a motion to authorize the execution of the Fleetwood Police Services Agreement. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Mr. Polinsky made a motion to advertise the 2023 Council meetings. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Mr. Polinsky made a motion to accept the Auditor's Engagement Letters and direct them to be signed. Mrs. Stoudt seconded the motion. The motion passed unanimously.

COMMITTEE REPORTS

Public Relations and Special Events Committee (Kunkel)

Ms. Kunkel gave an update on the Topton Community Ambulance Board. Ms. Kunkel stated that the Ambulance is aware that some people received two donation drive letters, that was a vendor error, and the ambulance company is not being charged for the mistake.

Environmental and Quality of Life Committee (Cook)

Ms. Cook gave an update on the Topton Preservation Board. She stated that they will be having a meeting on January 9th, 2023. Ms. Milo informed Ms. Cook that there is also a Council meeting scheduled for January 9th, 2023.

Personnel and Policy Committee (Falcone)

Ms. Falcone asked Council questions about the Water/Sewer Policy she has been drafting with staff and the solicitor. Ms. Falcone asked Council if the Borough should accept water bills that are postmarked before the due date. Council agreed that all bills need to be received by the due date to be considered on time. Ms. Falcone asked Council if they should keep the price of a meter reading at \$5 in the policy. Council agreed. Finally, she asked Council if it is necessary to be charging residents a \$25 fee for late notices and 48-hour postings. Mrs. Stoudt proposed that we revisit this issue after a few billing cycles to see if the extra fee causes more people to pay on time.

Public Safety and Special Events Committee (Lorah)

Ms. Lorah informed Council that the Annual Tree Lighting event went wonderfully. She stated that it has become a very nice event. Ms. Lorah informed Council that the tree and the chair are still set up in Borough Hall for residents to come and take Christmas pictures during business hours until the holiday.

Ms. Lorah stated that she believes there is no reason for two people to be on the Special Events committee right now since it is in the slow season. Ms. Lorah stated that Ms. Kunkel will now be added to the Quality of Life Committee. Ms. Lorah stated that Quality of Life gets busy in the winter months, and Ms. Cook needs help. Ms. Lorah would like to see a proper log and documentation being kept for all Quality of Life issues. Ms. Lorah also removed herself from the Special Events Committee and assigned the responsibility to Ms. Falcone. Ms. Lorah will be responsible for the Personnel Committee.

Ms. Lorah asked Council what they thought about closing the Borough office on all national holidays, which would give staff time to get internal work done. Mr. Polinsky stated that Council should be provided with a list of the national holidays the office would be closed before deciding.

Streets and Property Committee (Polinsky)

No report.

Parks and Recreation Committee (E. Stoudt)

No report.

Finance and Utilities Committee (M. Stoudt)

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

On-Line Bank Account Balances as of 12/12/2022:

General Account:	\$ 347,542.44
Water Account:	\$ 73,028.86
Sewer Account:	\$ 9,631.08
Reeds Beds – Sewer	\$ 5,001.92
Pool Account:	\$ 232.03
Payroll:	\$ 2,852.40
Recreation/Park Project:	\$ 345,710.86
Liquid Fuels:	\$ 274,197.14
Fire Fund:	\$ 51,224.75
Ambulance Fund:	\$ 1,625.63

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

ENGINEER

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. Finalizing Packet December 2022 iv. Submit to PADEP January 2023
- b. Media Replacement for Water Plant – In review

2. **DEP MS-4**

MS4 Annual Report to DEP – DEP issued Borough MS4 report comments on 11/07/22 and was deemed complete. DEP did not have any additional comments or corrections for the Borough, other than to continue its current MS4 work and to continue reporting the implementation of BMPs as well as PRP progress

Perennial Stream Work – No change this period.

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

The revised drainage plans were accepted by PennDOT as of 12/6/22.

Isett met with the Borough, contractor, and inspector on 12/12/22 virtually to review the current status of construction.

- a. Isett went out on site Friday 12/9/22 to review the drainage discrepancies.
- b. The next meeting is scheduled for 1/9/22 (may be conducted via email if there is minimal to report).

Contractor confirmed that the helical piles were ordered and delivery is anticipated for January.

- c. Installation timeframe dependent on weather.

This week/Next week: Contract to complete paving along Callowhill (2' section); pouring last section of curb on Freehall.

Monday (12/19): Pouring the last section of sidewalk on Freehall

2A stone is to be placed where sidewalk is ending on Freehall at drive entrance to the middle school and where the sidewalk ends on north side by the elementary school.

The remainder of the work is to be completed in the spring.

4. **Grants:**

- A. LSA Grant: Application is in for Keller Street: \$620,000
- B. East Barkley - \$385,000, Small Water & Sewer

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.

OLD BUSINESS

Mrs. Stoudt informed Council that 10 Hometown Heroes banners are being printed and should be received soon. Mrs. Stoudt also stated that the next ten banner applications are ready to be ordered but are awaiting the applicants to pay for their banners.

ADJOURNMENT

Council adjourned at 9:57PM by a motion by Mr. Polinsky, seconded by Mr. Stoudt. The next regular Council meeting will be held on December 26th, 2022, at 7:00PM.

Respectfully Submitted,

Courtney M. Corona
Borough Secretary