

***MINUTES OF THE  
BOROUGH OF TOPTON  
BOROUGH COUNCIL MEETING  
Monday, August 14, 2023***

The regular semi-monthly meeting of the Tipton Borough Council was called to order by Council President Polinsky at Borough Hall, 205 South Callowhill Street, Tipton, PA 19562 at 7:01 PM. Present were Mayor Miller, Council Members E. Polinsky, C. Cook, A. Falcone, K. Hassler, M. Kunkel, E. Stoudt, and M. Stoudt, Solicitor Joan London, Engineer Charley Myers, PE, Borough Manager S. Milo and Borough Administrative Assistant T. Hook.

The meeting was opened with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Meeting minutes from the July 10, 2023 Council Meeting were presented for approval. Ms. Falcone made a motion to approve the minutes. Ms. Hassler seconded the motion. The motion passed unanimously.

**COMMUNICATIONS**

Ms. Milo presented a request from Mr. Rohrbach to farm the tillable fields at the Borough's Mine Hole property in Longswamp Township; she confirmed the land is currently being farmed by Mr. Muth. Ms. Milo explained that she spoke with Mr. Muth, who confirmed he was interested in continuing to farm the land and confirmed there was no written agreement in place. Ms. Milo asked Council how they wished to proceed. An additional conversation ensued and included discussion on acreage involved, crop plans, legalities related to land interests, bid options and processes for municipal property, and the fairest approach. The discussion was tabled. At the end of other communication discussions, this conversation resumed with Ms. London confirming land leases do not require competitive bids. Mr. Polinsky supported Mr. Stoudt's suggestion to pursue sealed offers from both interested parties, indicating this seemed to be the fairest approach. Ms. London confirmed Ms. Milo should solicit sealed bids from both interested parties to be opened and reviewed by Council at September's meeting. Mrs. Stoudt prompted a brief conversation regarding the creation of a simple one-page legal agreement to formalize any agreement, which includes the length of the lease.

Ms. Milo presented the BCPC's (Berks County Planning Commission) notification of a request to change land designations in Leesport and Ontelaunee Townships to Rural Conservation; any comments may be submitted to [planning@countyofberks.com](mailto:planning@countyofberks.com) on or before September 8, 2023.

Ms. Milo introduced a request from Trinity Lutheran Church Ministry Group J121 asking for a bike rack to be placed under the roof of the Borough building at the dog park. Mr. Stoudt asked for clarification on whether the Borough was being asked to authorize the use of the space for a bike rack they would provide, or if the Borough was being asked to also supply the bike rack. Ms. Milo confirmed it was unclear in the request. Ms. Milo expressed concern over the adequacy of the space, noting Borough staff utilizes the mini-pavilion and maintaining sufficient access would need to be a consideration. Ms. Hassler raised concerns about vandalism and risks to

property stored openly at that location. After further discussion by Council, Mr. Polinsky suggested Ms. Milo communicate with the representative from the group to confirm the Borough is interested in working with them to find an appropriate solution; however, the specific location requested will not be a suitable option.

Ms. Milo presented a communication shared by a resident that indicated the GFL location, which services Topton, had been acquired by and was transitioning to Casella Waste Systems, Inc.

Ms. Milo presented a communication from a local Girl Scout troop seeking community service volunteer opportunities. Ms. Kunkel asked if the request elaborated on the type of service opportunities the troop was interested in. Ms. Falcone indicated the Trunk or Treat event might provide fun opportunities for the girls, whether organizing a costume contest or some games. Ms. Hassler volunteered to reach out to the Troop Leader and initiate discussions. Mr. Polinsky suggested compiling a list of service opportunities in the Borough that could be shared on request with organizations. Ms. Kunkel and Ms. Hassler indicated they would begin assembling a comprehensive list of volunteer options.

Ms. Milo introduced a letter provided by Steve Kline, Borough of Topton Emergency Management Coordinator (EMC), requesting assistance with traffic control for the 67<sup>th</sup> Annual TCOC (Topton Community Outreach Club) Halloween Parade. Mr. Kline was seeking approval to send the letter to neighboring fire police organizations. Ms. Milo confirmed the funding outlined in the letter had been previously approved and was in the Borough's 2023 budget. Ms. Cook asked if the Borough typically paid for fire police hours during the parade. Additional conversation on the support organizations used previously, the role of the Fleetwood Police during the parade, the challenges associated with the surge of people in town for the event, and the cost - benefits of utilizing fire police volunteers continued. Ms. Kunkel made a motion to approve sending the letter. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Ms. Milo stated she had been in communication with the Topton Community Ambulance, who confirmed they are supporting the entire community including surrounding communities like Kutztown, but that there will be no change in service for Borough of Topton residents. Ms. Falcone corroborated Ms. Milo's comments and shared a personal example of excellent response time she witnessed recently from the Topton Community Ambulance.

Ms. Milo stated she had received a request from the Ray A. Master American Legion Post 217 to close Hemlock Drive between Heffner Street and Haas Street for the entire day on August 26, 2023, to accommodate a motorcycle rally. Ms. Kunkel made a motion to approve the requested closure. Ms. Cook seconded the motion. The motion passed unanimously.

The discussion returned to the conversation around the Mine Hole property.

## **MAYOR'S REPORT**

Mayor Miller advised he had attended 1) National Night Out: there were food stands and a movie; there was a nice crowd; 2) Car Cruise: cars were rolling in one after another. Mr. Arndt, a resident, confirmed there were 117 show cars in attendance. Mayor Miller stated it was a great crowd, which grew even more when the band began to play. Mr. Polinsky agreed this event was a huge success; he acknowledged the contributions of the youth volunteers, who assisted Mr.

Arndt and the event organizers with parking cars and with other needs throughout the day. Mr. Polinsky praised the organizers for their efforts and noted the outstanding results were a reflection of their passion for the event.

**POLICE REPORT**

Sergeant Focht joined the meeting and provided the following report on Fleetwood Police activities for July:

<b>Activity Recap</b>	<b>No./Hrs.</b>
Patrol Miles	1048
Patrol Hours	114
IRF (# Incidents / Hours to Handle)	18 / 4
Crash Investigations	0
Traffic Citations	16
Non-Traffic Citation(s)	2
Traffic Checks	17 hrs.
Paperwork	29 hrs.
Vehicle Stops	24
Follow-Up / CI	0 hrs.
Court	0 hrs.

<b>Citation Breakdown</b>	<b>No.</b>
Stop Sign	4
Speeding	10
Inspection	1
Change of Driver's License Address	1

Mayor Miller asked how the officers determine where to sit for speeders. Sergeant Focht explained the options they have to monitor speeds since radar is not permitted. Mayor Miller named Home Avenue as a concern; Sergeant Focht indicated he would communicate that to the other officers and asked that residents e-mail specific times and locations to the Fleetwood Police, who will attempt to schedule time in the Borough at those times.

Ms. Falcone raised a concern about an exceptionally wide commercial vehicle parked on Home Avenue, stating it is hard to pass and limits passage to a single vehicle. Sergeant Focht inquired about the Borough's ordinances, stating that often there are restrictions in place concerning the width or weight of a vehicle. Ms. Milo confirmed the Borough does not have that in an ordinance, adding she believes it must be posted with signs, which Home Avenue is not. Sergeant Focht indicated the lack of an ordinance presented an enforcement issue, but if the vehicle presented a safety issue, Fleetwood Police could try to reach out to the resident. Conversation around other options such as rear street parking and a nearby parking lot ensued. Ms. Falcone inquired if the owner of the vehicle had been notified. Mr. Polinsky stated there was not anything they could notify him about. Ms. Falcone stated the vehicle creates a hazard and asked if it were possible to post a sign at that location. Ms. Milo confirmed that would require an ordinance. Ms. London confirmed an amendment to the Traffic & Parking ordinance would be

required to make a change. Ms. London mentioned reaching out to the resident to determine if a resolution to the concern can be achieved without the expense of creating and advertising an ordinance might be a good place to start, then proceeding further with an ordinance if a resolution could not be accomplished. Mr. Polinsky directed Ms. Milo to contact the resident by telephone to have an initial discussion.

Christine Lottes, a resident, raised a concern about drivers' disregard for 4-way stop intersections, specifically noting the intersection at East Smith Street and St. John Street. Sergeant Focht noted officers have to be able to see the violation, which determines where they can park to observe. Sergeant Focht noted if it is properly posted, the officers can attempt to enforce it; as an example he stated that officers logged over 14 hours and only one violation was observed. He encouraged residents to communicate their concerns to the Fleetwood Police Department and the Pennsylvania State Police (Reading). Additional conversation around concerns for the safety of children riding bikes and the best locations for cruisers to sit ensued.

Maryellen Monaghan, a resident, asked if it was illegal to park the wrong way on a street. Ms. Milo confirmed it was. Ms. Monaghan stated there was a maroon SUV on Barkley Street parked the wrong way all the time. Ms. Milo stated if residents witness this issue and do not have computer access or do not feel comfortable contacting the police, they can contact Borough office staff, who will relay their concerns to the Fleetwood Police Department. Discussion continued about concerns about Amazon delivery vehicle parking.

Sergeant Focht provided additional updates on efforts enforcing vehicle inspections.

### **HEARING OF VISITORS**

No visitors commented.

### **SOLICITOR**

Ms. London requested an Executive Session to commence at the end of the Council Meeting regarding employee relation matters; one vote is scheduled to occur upon Council's return to regular session.

### **BOROUGH MANAGER**

Ms. Milo thanked Council for approving her trip to attend the PAMA Conference; she confirmed the keynote presentation was made by an attorney member of the Pennsylvania State Ethics Commission, who provided real-world examples. Ms. Milo supplied Council members with ethics booklets she had obtained at the conference.

Ms. Milo confirmed Ms. Hook successfully completed her 90-day probation period.

Ms. Milo stated she, Mr. Polinsky, Representative Maloney and representatives from Senator Pennycuick's office had a good meeting with the Regional Executive Director for Government Relations from Norfolk Southern. Mr. Polinsky agreed, adding they discussed issues that have surfaced concerning snow shoveling, the Halloween Parade, train schedules, maintenance, etc. Norfolk Southern has been notified in writing of this year's Halloween Parade and will endeavor to lighten the train schedule during the parade time frame.

Ms. Milo stated Halloween Parade preparation meetings, organized by Steve Kline, would be starting this month; any issues, problems, or suggestions should be submitted to the Borough Office and they can be presented at these meetings.

Ms. Milo reminded Council that last June, a representative from the BHASD Maintenance Department requested that work done by the school district maintenance staff that does not require an inspection or permit, be addressed under a blanket agreement. Ms. Milo explained the need to also include in an agreement that when the borough's engineer performs work for BHASD, BHASD reimburses the Borough for the costs associated with that work. Ms. Milo confirmed the agreement would essentially formalize what is currently done. Ms. Milo stated the agreement was provided to BHASD, and, once a final draft is finalized, it will be presented to Council.

Ms. Milo confirmed the YMCA Park Program ended last week; she confirmed she and Ms. Hassler were attempting to schedule a meeting with representatives from the YMCA to discuss "lessons learned" from this year's program.

Ms. Milo requested guidance from Council on how they would like to conduct this year's budget process; she recapped last year's process and indicated she would start meeting with the individual municipal teams and community organizations. Ms. Milo reminded Council to consider any revisions to water/sewer and/or tax rates during this budget process. Mrs. Stoudt confirmed she had begun the water/sewer rate review and hoped to have something for discussion at the next meeting. Mr. Polinsky proposed dedicating a second monthly Council meeting exclusively for budget discussions and recommended addressing specific budget topics at each session through to their conclusion to avoid repetitive discussions from session to session. Discussion continued about the possible need for executive sessions, employee raises, the list of items already identified for budget discussions and the benefits of having multiple participants, including community members, providing input. Ms. Milo directed Council to the July report of the tax assessments for the Borough in their packets; she confirmed the tax rate, exclusive of ambulance/EMS and fire taxes, was currently 6.4%. A brief conversation ensued among Mrs. Stoudt, Ms. Milo and Ms. Kunkel regarding how fire and ambulance/EMS rates were set and how requested changes to the rates were communicated.

## **COMMITTEE REPORTS**

### **Public Safety and Personnel Committee (Hassler)**

Ms. Hassler stated Ms. Hook had successfully completed her 90-day probationary period and an additional 40 hours of paid time off, expiring 12/31/2024, be provided to Ms. Hook in lieu of a monetary increase. Discussion ensued about why Ms. Hook's time off would not expire annually like the other Borough employees, her part-time status, her lack of paid holidays, clarification on the timing of compensation reviews at both 90 days and again during the annual review process, the 90-day compensation review stipulation outlined in offer letters rather than the handbook, and any impact to the Borough office operations. Ms. Hassler made a motion to approve an additional 40 hours of paid time off for Ms. Hook, to expire 12/31/2024. Ms. Kunkel seconded the motion. The motion passed unanimously.

Ms. Hassler asked if first interviews should be started for the full-time public works position, noting delays may result in candidates no longer being available; she indicated the flexibility in her schedule would allow her to assist with the interview process if helpful. Mr. Polinsky was uncertain of the timeline for hiring. Mrs. Stoudt added there was concern about whether the Borough could afford the position. Ms. Milo noted the Borough's seasonal employee was retained from April through October. Ms. Kunkel recommended continuing the discussion in the executive session.

### **Public Relations and Quality of Life Committee (Kunkel)**

Ms. Kunkel opened up the conversation for "Buzz Around Town" feedback. Mrs. Stoudt stated the Home Repair Program through the Berks County Redevelopment Authority is an income-based program that provides grants to homeowners and small landlords to complete major repairs such as roofs and HVAC systems. Mrs. Stoudt noted the program endeavors to keep people in their homes.

Mrs. Stoudt inquired about the status of UGI's final paving on Haas, Franklin and Penn Streets. Mr. Myers confirmed the UGI work was finished, but there was a lag between completion and the final repaving to allow for settlement; he confirmed the final paving was still to come. Mrs. Stoudt noted that BHASD starts on August 23<sup>rd</sup> and it would be challenging if the repaving were to coincide with the first day of school, as school bus routes would be impacted. Mr. Stoudt stated the school would need to be notified if that becomes the case.

Mrs. Stoudt indicated there is a rumor circulating that the Borough is attempting to take health insurance away from employees; she confirmed that is flatly untrue, stating only that health insurance pricing is being reviewed.

Mrs. Stoudt stated after the most recent round of water/sewer billing, there were several statements made concerning water/sewer bills that were untrue, specifically that 90% of residents are paying double what they used to. Mrs. Stoudt confirmed over 50% of the bills are the minimum amount. Mrs. Stoudt added it was important for customers to recognize the likelihood that a leak may be contributing to a high bill; the first step upon receiving what seems to be a high bill should be to check for leaks. Additional discussion on the impact of hard water on piping continued briefly. Mrs. Stoudt stated, as Mr. Myers had mentioned previously, if a water meter is not functioning properly, it's more likely not reading water usage, rather than inflating usage.

Ms. Kunkel provided an update on Quality of Life issues, noting there were 6 new complaints; 2 fines were issued; 1 fine was pending. Additional discussion on whether properties were being cleaned up after being cited, repeat offenders, the fine structure and why some of the instances occur continued briefly.

Mr. Stoudt directed a question about a tree in the Borough to Ms. London; he inquired if the Borough can require a homeowner to remove a tree in bad condition. Ms. London confirmed the tree must be determined to be a dead, diseased or otherwise dangerous tree. Ms. Milo interjected stating the zoning officer at Barry Isett & Associates has been asked to review the health of the tree in question on East Smith Street. Ms. London stated once

the tree is determined to be a hazard, notice can be given to the property owner to remove the tree; she added it is in the best interest of both the municipality and the property owner to remove a diseased or dangerous tree. Additional conversation continued regarding the condition of the tree, the property owners, notice to be provided to both property owners, and the lien process if a dangerous tree is not removed.

### **Environmental and Quality of Life Committee (Cook)**

Ms. Cook stated the locations identified for installation of stormwater signs all fall along state roads; she confirmed Mr. Myers had provided her with the PennDOT designations and a PennDOT contact.

Ms. Cook provided an update on the MS4 requirement to educate the public on stormwater; she indicated there were two classes held recently at the Brandywine Community Library, both taught by the Head Watershed Steward for Berks and Schuylkill counties. Ms. Cook added the Head Watershed Steward brought along 3D displays and hands-on activities, provided educational information and that both sessions went very well. Ms. Falcone asked how many residents were in attendance, and Ms. Cook confirmed there were 20 total attendees between both sessions. Ms. Cook stated her next objective is to post one-page flyers at nine pre-determined locations in the community, with a few bullet points related to MS4 education; she intends to keep the flyers simple and easy to understand at a glance. Ms. Milo requested receiving the curriculum and list of participants from the classes to include in the annual MS4 report; she indicated the MS4 reporting year ends annually each June.

### **Policy and Special Event Committee (Falcone)**

Ms. Falcone reported there were a record number of seniors in attendance for the Senior Luncheon event held at the pavilion. Ms. Falcone thanked Ms. Milo for securing additional supplies for the event. Mr. Polinsky stated per the feedback received about the event, everyone appeared to have a fantastic time and Ms. Falcone agreed.

Ms. Falcone thanked Mr. and Mrs. Scott Arndt and Mr. Thomas Biltcliff for their efforts in organizing the hugely successful “Classic Cars & Classic Music” car show event; she stated the girls’ softball league provided food for the event and were able to earn much-needed funding for their organization. Ms. Falcone noted the ice cream truck in attendance also did well at the event.

Ms. Falcone stated at least 55 people attended the movie showing for the “National Night Out” event, adding there was excellent turnout from organizations serving food at the event. Ms. Falcone thanked Ms. Hassler for her invaluable support for the events.

Ms. Falcone stated she had prepared an outline and compiled reference documentation (vendors, contact information... etc.) to support the transition of special event committee responsibilities to Ms. Hassler. Ms. Falcone provided a copy of the information to Ms. Hassler and indicated a copy intended for retention in the Borough Office was also available. Ms. Falcone expressed that, in her experience, the special event committee

responsibilities were too extensive and indicated support for certain duties would be required from the Borough Office moving forward.

Ms. Falcone provided an update on the funds remaining from donated monies; she indicated there are donation funds still pending receipt.

Ms. Falcone confirmed Ms. Hassler would assume coordination of the next scheduled event, “Trunk or Treat”, but added she would remain involved as needed to ensure a smooth transition.

Mr. Arndt, a resident, inquired as to the date for next year’s car show event. After a brief conversation, Mr. Polinsky confirmed Mr. Arndt could work with Ms. Hassler to coordinate a suitable date and additional logistic needs. Ms. Kunkel advised when selecting a date it would be good to know when other car shows are happening throughout the area. Additional discussion on contributing factors behind the success of this year’s event ensued. Ms. Falcone specifically called out borough employee Mr. Kemp for his suggestion and initiative on banner placement for the event.

Ms. Hassler also recognized Mr. Kemp, an employee, for his assistance with special events, noting he intuitively knows the best way to set up for the events with respect to bench placement, what needs to be done, etc., and is quick to return the park area and pavilion to the original set-up/clean up after completion. Ms. Hassler also called out the youth volunteers who assisted with the car show, Sebastian Morales, Christopher Deans, Hunter Moyer and Hunter Greiss, and thanked Ms. Kunkel for her support and attendance at the events.

Ms. Hassler confirmed the “Trunk or Treat” is scheduled for Tuesday, October 31<sup>st</sup>. Discussion around the rain date and location for the event ensued; the topic was tabled until further details are finalized.

Ms. Hassler stated anyone interested in understanding the challenges with this year’s YMCA program should contact her directly.

### **Streets & Property Committee (Polinsky)**

Mr. Polinsky stated he had spoken with Mr. Steltz regarding the High Street paving project; the first 530 feet of High Street must be done; the cost to pave from the town line to the intersection at Main Street would cost approximately \$90,000 (for materials). Mr. Polinsky stated the funds to complete the project would come from liquid fuels money, and that Council needed to communicate to Mr. Steltz how much they wanted to spend as that would dictate how far into town the paving can be completed. Mr. Stoudt asked when Longswamp Township would be completing their section of High Road. Mr. Polinsky confirmed that Longswamp Township was expected to commence its High Road paving in approximately the next 3 weeks. Additional conversations around other projects, timelines and thoughts on how to handle budgeting for future paving projects were discussed briefly. Ms. Kunkel made a motion to approve paving High Street from the Topton Borough line up to the intersection at Main Street. Mr. Stoudt seconded the motion. The motion passed unanimously.



### **Parks and Recreation Committee (E. Stoudt)**

Mr. Stoudt inquired if any items were remaining in the snack stand (by Borough Hall). Ms. Milo confirmed small items remained, but in large part it had been emptied. Mr. Stoudt asked if there were still plans to demolish the stand. Ms. Milo stated until there was movement on the borough building itself within the Park Master Plan, there had not been action planned for the stand. Mr. Stoudt asked if it were possible to proceed with the tear-down of the stand. Ms. Milo stated that the shared wall should be inspected. Ms. Milo stated that if Council wanted to move forward, that it may be an appropriate fall project for staff.

Mr. Stoudt stated he plans to present information at next month's meeting on the tee-ball and wiffle ball fields; he stated he had spoken with the borough engineer and that it should be possible to waive permit requirements and simplify the process somewhat. Mr. Stoudt confirmed he would be in contact with the parties involved and keep the project moving.

### **Finance and Utilities Committee (M. Stoudt)**

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

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

On-Line Bank Account Balances as of 8/14/2023:

General Account:	\$ 139,620.85
Water Account:	\$ 90,535.80
Sewer Account:	\$ 133,839.29
Reeds Beds – Sewer:	\$ 5,005.25
Payroll:	\$ 3,758.03
Recreation/Park Project:	\$ 305,924.77
Liquid Fuels:	\$ 336,829.80
Fire Fund:	\$ 99,723.03
Ambulance Fund:	\$ 38,905.39
ARPA Funding:	\$ 218,052.36

Mrs. Stoudt stated approximately \$140,000 was still due for July water/sewer bills, but added it was mid-way through the billing cycle.

Mrs. Stoudt requested an update on the status of the RFP for auditing services for fiscal year 2023. Ms. Milo stated the RFP had been advertised, there has been interest, and confirmed the submission deadline is September 25, 2023. Ms. Milo confirmed the Borough's current auditing firm, RKL, will not be submitting a proposal.

Mrs. Stoudt introduced the Water/Sewer Policy document (Resolution 13-2023) and opened the floor for questions from Council. Ms. Milo raised the issue of contact

information for residents and tenants, noting the Borough has a communication system that allows for mass notification to residents, but the Borough is not able to utilize it currently due to a lack of accurate contact information. Ms. Milo asked if it might be appropriate to make it mandatory to supply a telephone number or e-mail address as part of this policy; adding in addition to providing emergency notification, the communication system could be utilized for notification of Borough services such as street sweeping for example. Mr. Stoudt made a motion to approve the Water/Sewer Policy with a revision requiring the customer to provide a current and valid telephone number and/or e-mail address. Mr. Stoudt made a motion to adopt the Resolution 13-2023 with the requested revision. Ms. Cook seconded the motion. The motion passed unanimously.

Mrs. Stoudt outlined the fees and finance charges associated with the existing water/sewer ordinance; she stated she agreed with the current posting, disconnection and reconnection fees because a physical process is required by Borough employees to execute those processes. Mrs. Stoudt stated she spoke with Ms. Schoonover and Ms. Hook in the office and was questioning if it was appropriate to lower the first late notice fee from \$25.00 to \$10.00. Ms. Falcone raised the issue of residents paying their bill in full, but the bill arrived at the office after the due date. Additional conversation around these types of scenarios, payment errors by customers, and how other businesses handle late balances continued; overlapping conversations were had simultaneously by Council. Mrs. Stoudt stated Ms. Schoonover had requested clear guidelines around late balances, for example, does 100% of the bill need to be paid or is there a threshold under which late fees would not be assigned to a remaining balance due. Mr. Polinsky and Ms. London clarified changes to what qualifies as a delinquent balance or the fees associated with late payment required a revision to the existing ordinance.

### **NEW COMMITTEES AND CHAIRS**

Environment and Conversation Committee – Cook

Personnel and Policy Committee – Falcone

Parks and Recreation Committee – Hassler

Finance Committee – Kunkel

Community Relations Committee – Polinsky

Streets and Property Committee – E. Stoudt

Utilities Committee – M. Stoudt

Mr. Polinsky shared his thoughts on communication by Council outside of the monthly scheduled meetings. Ms. Falcone asked for clarification on quorums. Ms. London confirmed a quorum would be considered 4 or more Council members, and, therefore, discussion by Council outside of the public meeting would be limited to a maximum of 3 members. Ms. Cook inquired if there were restrictions on e-mail communication amongst Council. Ms. London confirmed e-mails are a grey area under the Sunshine Act, but noted e-mails could be included in a “Right to Know” request.

## ENGINEER'S REPORT

### 1. PADEP Sewer and Water

- a. No open items.

### 2. Authorizations Needed/Pending

- (1) Water Supply Well – we will seek authorization for each stage.
- (2) Perennial Stream Survey - \$12,000 for topographic survey and boundary survey

### 3. Public Works Building Roof

- a. Team is currently undertaking design (i.e. assembly of bid documentation).
- b. Anticipated schedule is to seek approval to bid at September meeting, with bid award for October.

### 4. Water Supply Well

Task I: Feasibility Study	
A. Site Feasibility	\$5,000.00
B. Site Evaluation	\$7,500.00
Task II: Site Survey	\$7,500.00
Task III: Well Construction Specifications	\$5,000.00
Task IV: Well Drilling	\$60,000.00
Task V: Pump Tests	\$15,000.00
Task VI: Final Design of Water Improvements	\$50,000.00
Task VII: Final Permitting of Water Improvements	\$10,000.00
Task VIII: Construction of Final Water Improvements	\$200,000.00
Total Estimated Cost	\$360,000.00

#### Tentative Schedule:

Task I: Feasibility Study	
A. Site Feasibility	Working with PADEP
B. Site Evaluation	
Task II: Site Survey	July-September 2023
Task III: Well Construction Specifications	October 2023
Task IV: Well Drilling	October 2023 - December 2023
Task V: Pump Tests	December 2023
Task VI: Final Design of Water Improvements	August 2023 - January 2024
Task VII: Final Permitting of Water Improvements	February 2024 - September 2024
Task VIII: Construction of Final Water Improvements	November 2024 - March 2025

### 5. DEP MS-4

**MS4 Annual Report to DEP** – Engineer draft of Annual report to be delivered by August 18<sup>th</sup> for Borough review and comments. Submission is due to DEP by September 30, 2023.

**NPDES MS4 Permit Renewal – Notice of Intent (NOI) – Due to PA DEP by November 1<sup>st</sup>.**

DEP letter noted that the application fee is zero \$0. Engineer to begin NOI application after September 1<sup>st</sup> with draft of all required documents to Topton Borough for review before October 6<sup>th</sup>.

**Perennial Stream Work** – Field topo and boundary survey work request submitted. Survey work to obtain current condition of the stream corridor with property boundaries delineated.

6. **Grants:**

- A. East Barkley - \$385,000, Small Water & Sewer – expect award in summer.
  - a. Next CFA Meeting 9/19/2023

7. **Washington Street Pumping Station**

Received Grant award, contract with grant agency signed.

Bid delayed due to issues with PADEP.

Anticipated Schedule:

Bid Opening - September 7, 2023

Potential Award – September 11, 2023

Pre-Con – October 6, 2023

Installation Actual Start – January 8, 2024

Installation Complete – March, 2024

Construction Complete – March, 2024

8. **DCNR – Oak Alley Project**

Project scope falls within the DCNR requirements. Isett submits a lump sum proposal which is within the grant reimbursement guidelines.

**OLD BUSINESS**

Ms. Milo re-introduced a Watercourse Project discussion, stating Council is aware from previous discussions of the steps needed to improve and restore the Watercourse, which runs from Weis Street through to the Railroad; some of the property is owned by the Borough, and some is owned by other property owners. Ms. Milo requested approval to proceed with a property line/boundary survey at a cost of \$6,000; the survey will identify property ownership. Mrs. Stoudt made a motion to approve the funds and contract with Barry Isett, who will perform the survey. Ms. Cook seconded the motion. The motion passed unanimously.

Mrs. Stoudt confirmed there are 80 Hometown Hero banners installed and an additional 10 ordered. Mrs. Stoudt confirmed at this time there is room to install all banners ordered.

Ms. Kunkel confirmed she had no additional topics to discuss for the Topton Ambulance Board.

Ms. Cook confirmed there were no Topton Borough Preservation Board topics for discussion, but added the Topton Mini Museum would hold its 11<sup>th</sup> Anniversary celebration on Saturday, September 9<sup>th</sup>.

Mrs. Stoudt confirmed pricing for the current employee health benefit plan at alternate deductibles had been received, but the difference in cost was negligible; she recommended looking outside the current plan since PMHIC only offers the Borough one provider. Ms. Cook questioned if a consultant would be available to assist. Mr. Myers stated brokers were available for that purpose. Mrs. Stoudt stressed the need to look for plans comparable to the current plan, stating even if acceptable options are not ultimately found, it is important to perform this due diligence. Ms. London confirmed she would provide a broker name to Mrs. Stoudt.

Mr. Polinsky stated Topton 150<sup>th</sup> Anniversary was fast approaching, and asked if Council wanted to establish a committee to help organize the celebration. Mrs. Stoudt suggested a notice be placed on social media providing interested individuals with a contact to reach.

Ms. Milo confirmed the Borough is still working with 120 Water, who continues to collect data for PA DEP mandated water service line identification project. Mr. Myers confirmed the service line inventory was the key deliverable mandated for October 2024.

Ms. Milo confirmed the PA DEP has not yet scheduled the exit meeting to review the FPPE audit results.

Mr. Polinsky asked if Council members had completed their required NIMS Training. Ms. Milo confirmed the “G-402 Incident Command System (ICS) Overview for Executives/Senior Officials” was the only training required for Council members. Mr. Polinsky asked all Council members to complete the required training item by September’s meeting.

Mr. Polinsky advised the documents provided to our auditor for the 2022 Tax Collector Audit were in a state of disarray; the Borough was provided the option to either pay the auditors to sort them or have the documents returned for sorting by the Borough. Mr. Polinsky confirmed the documents were returned and are in the office pending sorting/organization. Ms. Hassler offered her assistance, indicating she had assisted with similar processes when she was working for the school. Mr. Polinsky indicated he would arrange times for Council members to assist with sorting.

Ms. Milo indicated an individual has agreed to become the Deputy Tax Collector, but a signature is still in the process of being obtained on the required form; once that form has been completed, a copy will be presented to Council for approval of a Deputy Tax Collector.

Ms. Cook asked if there was an update on “traffic calming”. Mr. Polinsky confirmed the Borough has portable/temporary rubber speed bumps available, but the installation has not progressed due to other priorities taking precedence; he confirmed there are no immediate plans to place the speed bumps, but noted they could be.

## **OTHER BUSINESS**

Ms. Falcone asked if the Borough utilizes time clocks for employees. Ms. Milo stated that the borough does not use time clocks, confirmed the employee timesheet is part of the employee manual, and that it is the employee's responsibility to properly complete the timesheet and sign it. Ms. Falcone stated she was interested in having the ability to keep track of the hours being completed on different tasks and to also ensure salary employees are not working more hours than they should. Mr. Myers and Ms. London confirmed their organizations utilized timesheets that allowed for such functionality. Mr. Polinsky confirmed it was worth looking into. Ms. Falcone stated that she would look into this.

## **EXECUTIVE SESSION**

Council adjourned to executive session at 9:37PM on a motion from Mrs. Stoudt, seconded by Ms. Hassler.

Mr. Stoudt made a motion to end the executive session at 10:06PM and return to the regular meeting. Ms. Cook seconded the motion. The motion passed unanimously.

Mrs. Stoudt made a motion to accept the Commonwealth of Pennsylvania Labor Relations Board Case No. PERA-R-23-130-E Memorandum of Agreement. Mr. Stoudt seconded the motion. The motion passed unanimously.

Mr. Stoudt made a motion to authorize Ms. London to sign the Memorandum of Agreement on behalf of the Borough of Topton. Ms. Cook seconded the motion. The motion passed unanimously.

## **ADJOURNMENT**

Council adjourned at 10:07PM on a motion by Mr. Polinsky, seconded by Ms. Kunkel.

The next regular Council meeting will be held on September 11, 2023 at 7:00PM.

Respectfully Submitted,

Terry L. Hook  
Administrative Assistant