

***MINUTES OF THE
BOROUGH OF TOPTON
BOROUGH COUNCIL MEETING
Monday, January 8, 2024***

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 7:00 PM. Present were Mayor Miller, Council Members C. Cook, A. Falcone, D. Haney, K. Hassler, E. Polinsky, M. Stoudt, E. Stoudt, Solicitor Joan London, Engineer Charley Myers, PE, Borough Manager Stacy C. Milo, and Borough Administrative Assistant Terry Hook.

The meeting was opened with the Pledge of Allegiance.

Mr. Polinsky noted for the record that an executive session was held on January 2, 2024 regarding personnel matters.

APPROVAL OF MINUTES

The December 11th meeting minutes were presented for approval. Ms. Hassler made a motion to approve the minutes with the minor revisions proposed by Ms. Hook. Ms. Cook seconded the motion. The motion passed unanimously.

The January 2nd meeting minutes were presented for approval. Ms. Hassler made a motion to approve the minutes. Mrs. Stoudt seconded the motion. The motion passed unanimously.

COMMUNICATIONS

Ms. Milo introduced Mr. Sprankle and Mr. Meitzler from the Municipal Authority who were present to discuss Ordinance 5-2023, which increases water and sewer rents for commercial and industrial customers. Mr. Sprankle stated the Municipal Authority was unable to make a recommendation for a 50% increase without justification or supporting data. Mrs. Stoudt stated the initial budget proposal was for a 110% increase, noting that in recent years the water and sewer accounts have been sustained with ARPA (COVID) funds which will soon be depleted. Mrs. Stoudt stated there are several necessary projects planned with large capital requirements, for example, the Water Supply Well and Washington Street Pump Station. These projects are contributing to the budget shortfall. Mrs. Stoudt stated many other communities are facing similar challenges as their ARPA funds run out, and that is why taxes are increasing across the county this year. Mrs. Stoudt shared information on the analysis that had been completed on water and sewer rates, which included a survey on rates in communities throughout Berks and Lehigh counties. Mrs. Stoudt stated that the Borough currently has the highest residential rates in Lehigh and Berks Counties, while also having very low commercial and industrial rates. Mrs. Stoudt noted the Borough's existing commercial and industrial rates are only slightly higher than residential rates, but in other communities, industrial and commercial rates are often 3-5 times higher. Mrs. Stoudt pointed out that the budget as it currently stands does not include funds to cover any unexpected issues such as a water main break, but encouraged the Municipal Authority to

share their thoughts on alternative ways to address the budget shortfall. Mr. Sprankle asked why the Municipal Authority was not included in the early stages of the water/sewer rate discussion. Mr. Polinsky stated the topic had been included on Council meeting agendas, and residents are welcome to attend these monthly meetings. A discussion ensued on communication between the Council and the Municipal Authority, the roles and responsibilities of the Municipal Authority, and the Municipal Authority's desire to be more involved in discussions around water/sewer rates. Mr. Meitzler expressed concern over being a "rubber stamp" for decisions made without their committee's involvement. Mr. Polinsky encouraged members of the Municipal Authority to initiate recommendations and remain involved; he emphasized there was no intentional exclusion of the Municipal Authority from water/sewer rate discussions. Ms. London asked if the Municipal Authority was requesting, going forward, advance notice of 2024 budget discussions. Mr. Meitzler confirmed they were. Mr. Meitzler requested access to the backup data justifying the increase in commercial and industrial rates. The discussion closed with the agreement to e-mail the Municipal Authority the backup data, and for Ms. Milo and/or Ms. Hook to communicate with the Municipal Authority in advance of 2024 budget discussions. Mr. Polinsky did state that water/sewer rates would likely be part of ongoing conversations throughout the year, and encouraged the Municipal Authority members to check the monthly Council agendas and stop by to discuss as needed. Ms. London stated the Municipal Authority would need to hold another meeting once they have reviewed the data being sent to them and suggested a 6:30PM meeting prior to the February 12th Council meeting.

Ms. Milo presented a communication from Girl Scout Troop 178 requesting permission to sell Girl Scout cookies on Saturdays and Sundays in the Weis Street parking lot from January 20th through March 10th. A discussion ensued on the anticipated timing of the start of the pool/parking lot project and possible contingency locations for the cookie sales if needed. Mr. Haney made a motion to approve the use of the Weis Street parking lot by Girl Scout Troop 178. Mrs. Stoudt seconded the motion. The motion passed unanimously.

MAYOR'S REPORT

Mayor Miller stated the new Potts Hotdog stand is open for business. Mayor Miller stated he had stopped in and encouraged residents to stop by, and that the gentleman running the stand is very nice.

POLICE REPORT

Corporal Arndt was present and provided the following report on Fleetwood Police activities for December:

Activity Recap	No./Hrs.
Patrol Miles	931
Patrol Hours	82
IRF	15 / 7
Crash Investigations	2
Traffic Citations	7
Non-Traffic Citations	0
Traffic Checks	19 hrs.
Paperwork	3 hrs.

Activity Recap cont.	No./Hrs.
Vehicle Stops	19
Follow-Up / CI	2 hrs.
Court	2 hrs.

Citation Breakdown	No.
Speeding Violations	5
Parking Violations	2

Corporal Arndt reported other significant activities within the Borough which included the theft of a Topton Borough check for \$1,483 that was deposited into an unknown account by an unknown person. Corporal Arndt elaborated on the prevalence of “check-washing” issues that are occurring throughout Berks County. Corporal Arndt stated there was also a weapons offense involving a prohibited individual attempting to purchase a firearm.

Corporal Arndt stated a new part-time officer should start in January.

Ms. Falcone asked for clarification on what was addressed during the two hours of court time. Corporal Arndt stated the hours were a result of officer time spent in court for not-guilty pleas. Corporal Arndt provided speeding tickets as an example. Ms. London clarified the court time would be related to Magisterial District Judge level offenses, not summary offenses.

Ms. Cook asked for clarification on how the patrol miles were calculated. Corporal Arndt stated she was unsure of how Chief Ulshafer calculated the miles, but confirmed every officer maintains a shift log that outlines their starting and ending mileage. A brief discussion ensued on whether the hours logged included travel time to and from Topton, or just time patrolling within Topton itself.

HEARING OF VISITORS

Mr. Arndt stated he was interested in holding the Car Show on July 21st, and that a check for \$1,800 was needed for Flamin’ Dick and the Hotrods. Mr. Arndt stated he was interested in having Brandywine Softball provide food again this year and asked for their contact information. Ms. Milo asked Mr. Arndt to provide his e-mail and that she could supply it to the Brandywine Softball organization contact. Ms. Hassler asked if it would be possible to incorporate a food donation drive into the event. Mr. Arndt stated they would include that request in this year’s event flyer.

SOLICITOR’S REPORT

Ms. London introduced a proposed amendment to the Property Maintenance Code/Quality of Life Ordinance. Ms. London stated Council had requested that the definition of PREMISES include PRIVATE PROPERTY; she proposed that the PREMISES definition include PRIVATE PROPERTY and the streets, alleys, sidewalks, and walkways adjacent thereto. Ms. London stated she would also like to correct a typographical error in Ordinance 3-2021, updating the Property Maintenance Code reference from the 2009 edition to the 2018 edition. Mrs. Stoudt made a motion to authorize the

advertisement of the proposed amendment for approval at February's meeting. Ms. Hassler seconded the motion. The motion passed unanimously.

Ms. London presented a draft parking ordinance that utilizes definitions found in the Fleetwood Borough's parking ordinance and includes a restriction on large vehicles. Ms. London stated the ordinance intends to prevent tractor-trailers and large commercial vehicles from parking in the street in a manner that prevents safe passage for other drivers and/or creates safety hazards, and to limit parking of boats and RVs on streets to a period required to reasonably load and/or unload. A discussion ensued on the definition of commercial vehicles, the parent ordinance, how to ensure the commercial vehicle definition does not impact smaller local businesses operating within the Borough, and the desire to exclude private property from commercial vehicle parking restrictions. Ms. London indicated she would re-draft the ordinance based on Council's discussion, circulate it for review, and proceed with advertising for adoption at February's meeting once there is consensus.

BOROUGH MANAGER'S REPORT

Ms. Milo expressed appreciation for the office closure which allowed final payments and other transactions to be processed.

Ms. Milo stated the Liquid Fuels audit for 2020 through 2022 is scheduled for Friday, January 12th.

Ms. Milo stated the Borough's Financial Audits for calendar years 2022 and 2023 are scheduled for the week of January 22nd.

Ms. Milo stated office staff met with Ms. Hassler, the new Finance Committee chair, to review finance processes and procedures.

Ms. Milo stated that budgeted services are being scheduled for this year; budgeted services include items such as the installation of new software for the office and on-site visits.

Ms. Milo stated the installation of the water plant generator was previously scheduled for mid-January but has been moved back to the end of January. Ms. Milo stated the water plant staff remains busy addressing compliance observations resulting from DEP's most recent 2023 visit.

Ms. Milo stated the wastewater treatment plant has been surviving the deluge of storms; she thanked all the public works staff for their hard work dealing with the winter storm Saturday, Sunday, and today. Mr. Polinsky recognized the good job, as always, done by Borough public works staff.

Ms. Milo presented the new bidding thresholds which took effect on January 1st of this year, stating anything below \$12,600 does not require formal bidding.

Ms. Milo stated the Tax Collector's Audit for 2022, completed by RKL, is available for public review in the Borough office.

Ms. Milo stated the GASB 68 report for the year ending December 31st, 2022 is complete and available for public review in the Borough office; this report covers the PMRS pension plan for full-time Topton employees.

Ms. Milo stated the UCC Countywide Appeals Board agreement remains unchanged from last year. A discussion on the value of this agreement occurred. Ms. Milo requested a motion to authorize the execution of the membership agreement for the 2024 calendar year. Mrs. Stoudt made the requested motion. Ms. Hassler seconded the motion. The motion passed unanimously.

COMMITTEE REPORTS

Environment and Conservation Committees – (Cook)

Regarding the SWPP, Ms. Cook confirmed progress with PennDOT contacts is slow, but that Mr. Myers has reached out to some of his contacts for assistance as well now.

Ms. Cook confirmed that Barry Isett is working on the quarterly MS4 report.

Personnel and Policy Committees - (Falcone)

Ms. Falcone asked for clarification on the status of Borough employee job descriptions that were previously completed but are not part of the current Employee Handbook. Ms. Milo and Ms. London confirmed an amendment would be required to make changes to the Employee Handbook. Ms. London stated it would make sense to hold off on any amendments until union negotiations are completed.

Ms. Falcone stated union negotiation meetings would be commencing in the near future. A brief discussion ensued on coordinating the meeting schedule. Mr. Polinsky stated he would select a meeting date and communicate it to all of the Council members.

Ms. Falcone stated a Borough employee (wastewater treatment plant operator) had submitted his resignation; she expressed interest in advertising for the position. A discussion ensued on a new hire's pay scale, the impact of the union negotiations on any non-managerial employee hired under the current policies, and the need to fully disclose the potential changes to any candidates. Ms. Falcone asked Ms. Milo to prepare a proposed advertisement for the open position and e-mail it to all Council members for review.

Ms. Falcone asked if the Council was interested in pursuing exit interviews with departing employees. Mr. Polinsky agreed more information was desirable if the employee was interested in participating.

Ms. Falcone requested an Executive Session to follow up on a personnel matter previously discussed on January 2, 2024. Mr. Polinsky confirmed an Executive Session could be held at the conclusion of today's Council meeting.

Ms. Falcone asked that she be included on personnel matters as soon as they arise, and before any communication is distributed.

Streets Committee (Haney)

Mr. Haney inquired if it would be appropriate to ask for a meeting with the Roadmaster to review priorities. Mr. Polinsky confirmed it was a good idea. Ms. Milo provided suggestions on the timing of the meeting.

Finance Committee – (Hassler)

Ms. Hassler requested a motion to approve the bills and transfers, and the Treasurer’s Report as presented. Mrs. Stoudt made the requested motion. Mr. Stoudt seconded the motion. The motion passed unanimously.

On-Line Bank Account Balances as of 1/8/2024:

General Account:	\$ 211,846.06
Water Account:	\$ 180,265.68
Sewer Account:	\$ 146,234.15
Reeds Beds – Sewer	\$ 5,007.35
Payroll:	\$ 3,788.53
Recreation/Park Project:	\$ 299,939.44
Liquid Fuels:	\$ 285,323.51
Fire Fund:	\$ 65,584.08
Ambulance Fund:	\$ 17,917.86
ARPA Funding:	\$ 84,109.49

Community Relations Committee – (Polinsky)

Mr. Polinsky stated the “buzz around town” was the snowstorm. Mr. Polinsky stated he heard numerous reports of kids helping to shovel out neighbors and other residents. Mr. Polinsky stated he was interested in providing these youth volunteers with documentation for school or Boy Scout community service hour requirements, and stated the volunteers could reach out if they were interested. Mr. Polinsky stated it was great to see the community coming together to help each other during the snowstorm.

Mr. Polinsky provided a list of the anticipated special events for 2024. Ms. Falcone inquired about the funding for this year’s events, noting last year’s events were fully funded by donations from local organizations and businesses. Mr. Polinsky confirmed funding special events without the use of taxpayer dollars was the plan for 2024 as well. Mr. Polinsky stated last year’s model would be modified slightly, stating sponsors would be sought out to handle specific elements of an event such as a bounce house or petting zoo. Ms. Falcone stated she had collected data on costs, attendance, and other information associated with each event and provided a binder with those details; she hoped it would assist with this year’s planning.

Property Committees – (E. Stoudt)

Mr. Stoudt stated Mr. Schuman indicated pricing for the tee-ball/wiffle ball project was still being assembled but was in progress.

Mr. Stoudt asked Mr. Myers if it was possible to start looking at the pool/parking lot project without impacting TASA requirements. Mr. Myers confirmed it would be possible to have a

meeting to discuss the project; he stated he would check Bryan’s availability and coordinate a time with Mr. Stoudt and Mr. Steltz. Mr. Myers and Ms. Milo confirmed the TASA project should be closing out in January.

Mr. Stoudt stated he received the list of foresters from Mr. Myers. Mr. Stoudt proposed meeting with three foresters who are “watershed qualified” as a starting point. Ms. Cook expressed concern over the condition of the watershed grounds once harvesting is completed. Mr. Myers provided additional details on the process and stated the foresters must follow best practices and state regulations. Mr. Myers encouraged the Borough to identify questions or concerns and address them with the forestry candidates as part of the selection process. Mrs. Stoudt asked if, to ensure goodwill with our community neighbors, Longswamp Township should be provided with advanced notice. Mr. Polinsky stated he would place a courtesy call to his contact in Longswamp Township.

Utility Committee – (M. Stoudt)

Mrs. Stoudt stated currently there are 20 water/sewer accounts with small balances, 3 accounts with payment plans, one terminated account, and 23 unpaid accounts with a balance of \$6,066.58. Mrs. Stoudt stated there was a small issue with the finalization on the last billing cycle. Mrs. Stoudt stated meter readings for the next quarter’s bills should begin next week, weather permitting.

Mrs. Stoudt stated there is a meter for Deka that is on backorder until March.

ENGINEER’S REPORT

1. PADEP Sewer and Water

- a. Preparing DRBC and PADEP reporting.
- b. DRBC Report due to DRBC 1/31/2024
- c. Chapter 94 due to PADEP 3/31/2024

2. Authorizations Needed/Pending

- (1) Water Supply Well – we will seek authorization for each stage.

3. 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
- B. Site Evaluation

Working with PADEP

Task II: Site Survey

January 2024

Task III: Well Construction Specifications

February 2024

Task IV: Well Drilling

April 2024 – June 2024

Task V: Pump Tests

July 2024

Task VI: Final Design of Water Improvements
Award

TBD after Grant Applications and

Task VII: Final Permitting of Water Improvements

TBD after Grant Applications and Award

Task VIII: Construction of Final Water Improvements

TBD after Grant Applications and

Award

4. DEP MS-4

MS4 Annual Report to DEP – BIA preparing 6-month review of MS4 tasks completed for the 2023-2024 permit cycle. Items needing to be completed before July 2024 will be noted, along with recommendations. Six month reports to be issued end of January to Borough.

Perennial Stream Work – Meeting with Grants Manager to discuss options for reducing or phasing out stream improvement areas.

5. Grants:

A. East Barkley - \$385,000, Small Water & Sewer

- a. \$185,000 was awarded for the project on 12/19/2023

6. Filter Media Replacement

Received information from Scott on administrative paperwork and operations paperwork, Permit submission will go out this week.

7. Washington Street Pumping Station

Received Grant award, contract with grant agency signed.
Bid delayed due to issues with PADEP.

8. DCNR – Oak Alley Project

Isett team conducted an on-site review and assessment of the existing conditions within the project area. Plan review of the proposed trail alignment on the base plan. Discuss potential solutions to complete the connection. Preparing a concept plan for review with Borough staff later this month.

OLD BUSINESS

Mrs. Stoudt stated there was no change from last month on the Hometown Heroes banners.

Ms. Cook provided a brief update on the Topton Preservation Board, noting the \$500 donations

received from the Borough and the Rotary Club were much appreciated. Ms. Cook stated proceeds of \$270 were also collected from the sale of various merchandise and were also deposited into the Topton Preservation Board account.

EXECUTIVE SESSION

Council recessed to Executive Session at 8:16PM to discuss personnel matters.

ADJOURNMENT

Council adjourned at 8:34PM on a motion by Mr. Stoudt, seconded by Ms. Cook.

The next regular Borough Council meeting will be held on February 12, 2024, at 7:00PM.

Respectfully Submitted,
Terry Hook / Administrative Assistant