

**MINUTES OF THE
BOROUGH OF TOPTON
BOROUGH COUNCIL MEETING
Monday, July 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 and Council Members C. Cook, A. Falcone, D. Haney, K. Hassler, E. Polinsky, E. Stoudt, and M. Stoudt, Solicitor London, Engineer Charley Myers, PE, and Borough Manager Stacy C. Milo.

The meeting was opened with the Pledge of Allegiance.

EXECUTIVE SESSION

Mr. Polinsky noted for the record that Council held an executive session on July 8, 2024 regarding labor negotiations with the Teamsters' Local 773.

SOLICITOR'S STATEMENT REGARDING WATER AND SEWER RATE INCREASES

Ms. London made a statement regarding water and sewer rate increases, including the 2024 rate increases for commercial and industrial users.

Mr. Stephen J. Banko, Jr., property owner of Tipton Laundromat, LLC located at 227 E. Weis Street, made a statement regarding the rate increase in 2024, including the increase only being applied to commercial and industrial users.

Mr. Polinsky further explained the reasoning behind the increase in 2024 and thanked Mr. Banko for his time. Mr. Banko thanked Council, asked them to consider other options, and offered his time to help. Mr. Polinsky encouraged Mr. Banko to participate by attending Council and Authority meetings.

APPROVAL OF MINUTES

Ms. Hassler made a motion to approve the minutes for the May 9, 2022 Borough Council meeting. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Mr. Haney made a motion to approve the minutes for the April 8, 2024 Borough Council meeting. Ms. Hassler seconded the motion. Ms. Cook abstained due to not being present for that meeting. The motion passed with all other members voting in favor.

COMMUNICATIONS

Ms. Milo presented a request from the Brandywine Heights Elementary School for their Halloween Parade on October 31, 2024 at 1:30PM until approximately 2:30PM; request barricades and temporary street closures. Mr. Stoudt made a motion to approve the request. Mr. Haney seconded the motion. The motion passed unanimously.

Ms. Milo presented the Tipton Borough Planning Commission's recommendations for a preliminary/final lot line adjustment plan that was submitted for 330 West Weis Street. Council

reviewed the recommendations and discussed the need to have information from Longswamp Township's Planning Commission for a concurrent request. Mr. Stoudt made a motion to deny the request unless an extension is provided to Borough Council by the property owner/applicant in order for Council to review the request on August 12, 2024. Ms. Hassler seconded the motion. Ms. Falcone abstained due to business dealings with the applicant. The motion passed with all other members voting in favor.

Ms. Milo presented the Eastern Berks Joint Comprehensive Plan Multimunicipal Agreement to Council for execution. Ms. Cook requested clarification from Ms. London regarding responsibilities of the Berks County Planning Commission and the Borough's financial obligation. Ms. Hassler made a motion to execute the agreement, with a cost to the Borough of \$3,000.00. Mr. Stoudt seconded the motion. The motion passed unanimously.

MAYOR'S REPORT

Mayor Miller attended the community yard sale. Mayor Miller also reminded all drivers that the Borough has a speed limit of 25 MPH and drivers need to slow down.

HEARING OF VISITORS

Mr. Brian Fronheiser noted that the movement of a pedestrian sign on Home Avenue, away from handicapped parking space, has ameliorated some of the issues with traffic flow. Mr. Fronheiser asked if speed bumps could be installed. Mr. Polinsky indicated that the Borough was given speed bumps but has not installed them. Ms. Deb Kirby reminded Council that speed bumps need to be low enough for handicapped accessible vehicles to go over without damage to undercarriage. Mr. Myers noted that the speed bumps to which Mr. Polinsky referred were low bumps, more effective because of the yellow paint than the bump.

Mr. Fronheiser also asked Council to reconsider the hours the park bathrooms are open. Mr. Fronheiser questioned why they open so early; Ms. Hassler responded that early morning walkers and bus and van drivers during the school year use the rest rooms. It was requested that rooms be open until at least 5:00PM; Council agreed to a trial and authorized Ms. Hassler to monitor and change back if issues recur.

Ms. Christine Lottes requested suggestions regarding a feral cat colony in the vicinity of Cherry Alley; there are three generations of cats living in a locked shed with broken board entrance and the property owner is not available due to health issues. It was suggested that the only option might be to trap and take cats to a TNR (trap neuter release) facility; when neutered the colony eventually decreases. Mr. Polinsky welcomed other options if others find them.

Mr. Scott Arndt asked Council to reconsider their decision regarding Ms. Milo's attendance at the PAMA annual conference. Mr. Polinsky responded that it was felt that online education could be obtained with less expense. Ms. Colleen Kristula reminded Council that it should be celebrated that Ms. Milo was appointed to the Board of this organization. Mr. Polinsky stated that they would take it under advisement.

Mr. Arndt requested permission to clean up the pool property prior to having the car show. Ms. Milo explained that staff had just started demolition work of the pool property.

POLICE REPORT

Chief Dale Ulshafer presented a report for the month of June for Fleetwood Police within the Borough of Topton. Chief Ulshafer warned of scams and not to give out personal information or give money to strangers.

The Chief discussed locations of speeding and not stopping with Ms. Cook and Ms. Falcone as well as visitors.

SOLICITOR

Ms. London reported that the temporary construction easement for Lehigh Industries to stage equipment at the Washington Street Pump Station has been completed. Mr. Stoudt made a motion to authorize the easement to be signed. Mrs. Stoudt seconded the motion. The motion passed unanimously.

Ms. London explained that Council was provided an update on the status of labor negotiations with Teamsters' Local 773 in Executive Session prior to this meeting. Ms. London stated that a meeting is scheduled with Attorney Boland on July 9, 2024.

Ms. London reported that the lien in the amount of \$1,815.53 against 546 Celia Avenue was filed on June 28, 2024, which includes unpaid water/sewer usage, property maintenance expenses, and costs. Ms. London also informed the property owner, the owner's son, and guardian for the owner.

There was no update on 534 Marshall Avenue.

BOROUGH MANAGER

Ms. Milo reported that the Liquid Fuels audit for FY2023 was conducted on July 3, 2024 and is available for review.

Ms. Milo stated that she continues to work with the new property owners of the private property in the Borough's watershed to help them obtain PENNDOT HOP and MUD permits.

Ms. Milo stated that the Senior Appreciation Luncheon/Picnic will be on Thursday, July 11.

COMMITTEE REPORTS

Environment and Conservation Committees – (Cook)

Municipal Separate Storm Sewer System (MS4): Ms. Cook reported that two (2) classes on storm water are scheduled for August 13, 2024, open to the public, and will be included in the Borough's MS4 report as an educational accomplishment.

Source Water Protection Plan (SWPP): Ms. Cook indicated an issue with placing spill response signs for the Source Water Protection Plan outside Borough limits. Ms. Cook indicated that some

of the PENNDOT approved sign locations are within Longswamp Township and Longswamp Township would be required to apply on the Borough's behalf. Ms. Cook will contact Longswamp Township. Mr. Myers indicated that signage is primarily for civilians in the area; fire companies and police have access to watershed boundary lines through GIS map and GPS.

Personnel and Policy Committees – (Falcone)

Ms. Falcone made a motion to approve hiring Sherri Filby as a part-time administrative assistant at a rate of \$16 per hour for a maximum of 30 hours per week; following satisfactory completion of six months of employment, Ms. Filby's rate will increase to \$17 per hour, she will be eligible for one week of vacation of 30 hours, and will not receive a raise in 2025. Mr. Stoudt seconded the motion. The motion passed unanimously.

Streets Committee – (Haney)

Mr. Haney stated he had nothing to report.

Finance Committee – (Hassler)

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

Ms. Hassler noted that the water and sewer funds accounts have been gradually reimbursing the general fund account.

Community Relations Committee – (Polinsky)

Mr. Polinsky noted that there are new businesses in town and encouraged residents to patronize them. Mr. Polinsky requested that Council members prepare, by October, statements/descriptions of what their committees have been working on, issues they face, projects, finances, etc. for him to compile an end-of-year State of the Borough Report.

Property Committee – (E. Stoudt)

Mr. Stoudt reported that Shultz Forest Management and Consulting, LLC continue to mark trees in the watershed area. Mr. Stoudt stated that the Oak Alley Project was delayed as water lines were discovered underneath. Mr. Myers indicated that Bryan Smith, BIA, was making adjustments accordingly and will resubmit plans to the funding source, PA DCNR. Mr. Stoudt announced that the pool demolition begins tomorrow, July 9, 2024 after E&S has been installed. Mr. Stoudt announced that the next Recreation Committee meeting will be held at Borough Hall on August 14, 2024 at 6:30PM to continue revising the park master plan.

Ms. Hassler reported that the YMCA summer program is going well, the new head counselor is on top of things and really involves the young people, and one resident reported that his son thought it is the best year yet.

Utilities Committee – (M. Stoudt)

Ms. Stoudt reported \$10,000 outstanding in water/sewer bills and having three payment plans. Mrs. Stoudt explained that fifteen doors were posted with termination notices and two were terminated. Mrs. Stoudt also stated a resident was able to take advantage of the help program mentioned at the last meeting. Mrs. Stoudt reported that four meters were switched.

Mrs. Stoudt stated that the Washington Street Pump Station Rehabilitation project has been placed for bid.

Mr. Myers reported that the NPDES Permit is renewed, expires June 30, 2029, with next application due in January of 2029.

ENGINEER

1. **Authorizations Needed/Pending**

- (1) Water Supply Well – we will seek authorization for each stage.
- (2) Chlorine Contact Basin Rehab – once grant documents are executed.

2. **NPDES PERMIT**

- i. Received Final permit, with no changes from the draft permit.

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 - septic separation and well monitoring sampling needed
Task II: Site Survey	Completed
Task III: Well Construction Specifications	Working with PADEP, getting monitoring well data.
Task IV: Well Drilling	Summer 2024
Task V: Pump Tests	Summer 2024
Task VI: Final Design of Water Improvements	TBD after Grant Applications and Award
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**

- a. **MS4 Annual Report to DEP** – Isett gathering MS4 annual report documentation in preparation for draft report to Borough by August 15th. Comments and copies of completed DEP tasks to be forwarded to Isett for incorporation into draft annual report.
- b. **Perennial Stream Work** – No Flood Study grant submission this year, per the [Borough's](#) request. Match funding and resources focused towards other Borough projects.
- c. **Brandywine Heights HS Stream Signage** – No changes.

5. **Grants:**
 - A. East Barkley - \$385,000, Small Water & Sewer
 - a. \$185,000 was awarded for the project on 12/19/2023

6. **Master Site Plan**
 - A. Meeting with Rec Committee on August 14th, to review Concept Plan that is based on previous meetings.

7. **Public Works Building Roof**
 - a. Project Complete

8. **Washington Street Pumping Station**

Budget Status:

 - Design - \$30,500 (\$30,250 invoiced)
 - Bidding - \$6,000
 - Construction – \$10,500

Anticipated Schedule:

Rebid timeline:

 - Pre-Bid Meeting – 7/12/2024
 - Bid Opening – 7/19/2024
 - Bid Award – 7/22/2024
 - Construction Start – August 2024
 - Complete Construction – early 2025 (delivery of pumps and controls will set the schedule)

9. **Pool Demolition**
 - a. Budget is as follows:

i. Prepare E&S Plan	\$2,500
ii. Compaction Testing	\$2-5,000 (services as ordered by the Borough)
iii. On-Site Observation	up to \$10,000 (services as ordered by the Borough)
iv. Soil Probes	up to \$3,000 (services as ordered by the Borough)
v. All field services as ordered by the Borough.	
 - b. BCCD has Approved E&S.

10. **DCNR – Oak Alley Project**

Plans being updated per Borough feedback, will be submitted to DCNR for approval, then may be bid.

OLD BUSINESS

Mrs. Stoudt provide the Hometown Heroes Update: 110 Banners are installed and remain for a period of two years each, at which time they are removed and returned to the purchaser.

Topton Community Ambulance Board: Ms. Monica Kunkel asked if a decision had been made on paying Topton Ambulance by voucher. Ms. Milo responded that the meeting with the Borough's new auditor has not yet taken place but the question will be raised when it does.

Topton Borough Preservation Board: Ms. Cook reported a balance of \$3582.85 in the Preservation Board account.

Brandywine Community Library: Ms. Colleen Kristula reported:

- the Library participated in Community Days
- 277 persons signed up for the summer reading program
- ASL course packed the house
- The Tortoise Trek fundraiser with games and fun is on Aug. 10, tickets are available for Tortoise Race.
- The Library announced a new “My Heritage” genealogy program.
- There will be an Identity Theft and Scams event August 21

ADJOURNMENT

Mr. Stoudt made a motion to adjourn the regular meeting at 8:21PM. Mrs. Stoudt seconded the motion. The motion passed unanimously.

The next regular Council meeting will be held on July 22, 2024 at 7:00PM.

Respectfully Submitted,

Stacy C. Milo
Borough Manager/Secretary