

**ST. LAWRENCE BOROUGH COUNCIL REORGANIZATION
MEETING MINUTES
MONDAY, JANUARY 7, 2008**

ATTENDANCE:

Robert J. May, Councilman
David W. Eggert, Councilman
D. Michael Bennethum, Councilman
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons, Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
Warren Lubenow, Borough Mayor

CALL TO ORDER: The reorganization meeting of the St. Lawrence Borough Council was called to order by Mayor Lubenow at 7:31 PM. Since there were two new members to Council Mayor Lubenow asked Council to introduce themselves to the group and give a little bit of background about themselves.

ELECTION OF A COUNCIL PRESIDENT: Mayor Lubenow opened the nominations for president. Mr. David Eggert nominated Mr. Robert May; seconded by Mrs. Joan Eshelman. There were no other nominations. **MOTION:** Rev. Michael Bennethum made the motion to close nominations; seconded by Mr. James Simmons; all were in favor. Mr. May is the new president of Council. Mayor Lubenow turned the meeting over to Mr. May, the new Council President.

ELECTION OF A COUNCIL VICE PRESIDENT: Mr. May nominated Mr. David Eggert for Council Vice President; seconded by Mrs. Eshelman. There were no other nominations. All were in favor of Mr. Eggert as Council Vice President.

APPOINTMENTS: One year appointments as follows.

Borough Manager – Allison Leinbach
Borough Secretary – Susan Eggert
Borough Solicitor – Kozloff Stoudt
Borough Engineer – Van Cleef
Zoning Officer - William Daniels
Code Enforcement Officer – William Daniels
Assistant Code Enforcement Officer – Allison Leinbach and Susan Eggert
Plumbing Inspector - Brian Sands
Borough Auditor – Maillie, Falconiero & Company, LLP
Official Bank for Depository for General/Sewer Fund - Commerce Bank

There was a lengthy discussion with regard to appointing a new engineering firm and a new auditing firm. In the past Spotts, Stevens & McCoy were the Borough engineers and Long Barrell was the accounting firm. The new appointment recommendations were Van Cleef and Maillie, Falconiero & Company, LLP. Mayor Lubenow asked if the change in engineering would also apply to planning; Ms. Leinbach indicated that if the change is made this would also include planning. A letter will be sent to the Planning Commission members letting them know that a change is being made in engineering. There was no nomination for a sewage enforcement officer or fire marshal at this time. **MOTION:** Mrs. Eshelman made the motion to make the appointments as noted above; seconded by Mr. Eggert; all were in favor and the motion carried. Mr. Eggert and Mr. Whitman abstained from the appointment of the Borough Secretary and Assistant Code Enforcement Officer, Mrs. Susan Eggert due to personal relationship and Mr. May abstained from the appointment of the Borough Engineer since he once was employed by Spotts, Stevens & McCoy.

SETTING OF THE OFFICIAL MEETING TIME FOR MONTHLY MEETINGS: There was a short discussion about the day and time to have meetings. It was decided to keep the meeting time the second Thursday of the month at 7:30 PM.

MOTION: Mr. Whitman made the motion to set the meeting time as the second Thursday of the month; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ADJOURNMENT: MOTION: Mr. Eggert made the motion to adjourn the reorganization meeting; seconded by Mr. Whitman; all were in favor the motion carried. The reorganization meeting of the St. Lawrence Borough Council adjourned at 8:05 PM.

Respectfully submitted

Signed/Susan D. Eggert

Susan D. Eggert, Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
MONDAY, JANUARY 7, 2008**

ATTENDANCE:

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David W. Eggert, Council Vice President
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
Michael Bennethum, Councilman
James G. Simmons, Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Warren Lubenow, Borough Mayor
Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
Joan London Esq., Kozloff Stoudt arriving at 8:35 PM

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May immediately following the reorganization meeting.

APPROVAL OF THE MINUTES: The minutes of the December 20, 2007 meeting were distributed to the members of Council for their review. There were no questions or corrections. **MOTION:** Mrs. Joan Eshelman made the motion to accept the minutes as presented; seconded by Mr. Cary Whitman; Mr. May, Mr. Eggert, Mrs. Eshelman, Dr. Ivison and Mr. Whitman voting in favor; Rev Bennethum and Mr. Simmons abstaining since they were not present for the December meeting.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council for their review. Ms. Leinbach indicated that the report could be approved as presented. Mr. May explained the treasurer's report to the new members of Council; there were no questions. **MOTION:** Mrs. Eshelman made the motion to accept the treasurer's report as presented; seconded by Mr. Eggert; all were in favor and the motion carried.

GENERAL: \$171,747.89 **SEWER:** \$139,866.11 **LIQUID FUELS:** \$69,673.90 **CAPITAL RESERVE:** \$82,077.88

APPROVAL AND PAYMENT OF THE BILLS: The bills to be approved and ratified this evening were submitted to Council for review. All questions were answered. Bills to be ratified from the general fund total \$10,816.88; bills submitted for approval tonight total \$9,684.37 for a grand total of \$20,501.23. There were no bills to be paid from the sewer fund. **MOTION:** Mrs. Eshelman made the motion ratifying and approving payment of the bills submitted; seconded by Mr. Eggert; all were in favor and the motion carried.

PUBLIC HEARINGS, PETITIONS, ETC

PRESENTATION OF FLAG - Mr. Cary Whitman from the POS of A of St. Lawrence Camp 230 presented a flag to the Borough of St. Lawrence. The Borough will send the POS of A a thank you letter.

REPORT OF THE CODE ENFORCEMENT OFFICER - WILLIAM DANIELS

The paperwork for the condemnation of the Suburban Petroleum building has been started. Mr. Daniels and Ms. London will be meeting with Mr. Koontz from Exeter Township to review the steps that have to be taken to condemn a building since he had to do this last year with a property in Exeter Township. Mr. May gave the new members of Council a little history and how Council came to the decision to condemn the Suburban Petroleum property.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

Mayor Lubenow indicated that because of the earliness of the meeting there are no reports from the police department at this point in time.

COMMITTEE APPOINTMENTS: Mr. May would like to meet with the Council members to discuss their interests and will make committee appointments at the next meeting.

BUDGET & FINANCE

CASH FLOW DOCUMENTS: Cash flow documents were made available for Council's review. There were no questions at this time.

UNPAID REAL ESTATE TAXES TO TAX CLAIM - The closeout for 2007 has been completed and there is \$3,626.89 of unpaid 2007 real estate taxes to be turned over to tax claim; 12 unpaid bills. The amount of unpaid taxes is less than 1%.

MOTION: Mr. Whitman made the motion authorizing the tax collector to send the unpaid amount of Borough taxes in the amount of \$3,626.89 to the tax claim bureau; seconded by Mrs. Eshelman; all were in favor and the motion carried.

SANITARY SEWER - ALLISON LEINBACH

Ms. Leinbach indicated that she is in the process of setting up the preconstruction meeting with Utility Services Group for the televising of the sewer system.

TRASH & RECYCLING - CARY G. WHITMAN

Mr. Whitman presented changes in trash pickups for 2008 due to holidays. Spring clean up is scheduled to take place on May 15th which is not a recycling week. Trash pickup during the weeks of Thanksgiving and Christmas will take place on Saturday as well as the pickup during the week of New Year's which will be 2009 along with recycling. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to sign off on the trash changes as well as the spring clean up date for calendar year 2008; seconded by Mrs. Eshelman; all were in favor and the motion carried. Ms. Leinbach told Council that our recycling numbers are much better than previous years; she feels that this is due to the accurate reporting from Eagle Disposal.

RECREATION - DAVID EGGERT

DECORATING CONTEST - Mr. Eggert reported that due to weather and meeting changes the decorating contest was cancelled.

ADVERTISEMENT FOR PLAYGROUND LEADERS - Mr. Eggert indicated that is now time to look for playground leaders for the summer program. Mr. May explained to Council that the playground is open for about 8-10 wks during the summer and that typically the Borough hires 2-3 college aged kids to run the program. This will be advertised in the Reading Eagle and the surrounding colleges will be notified of the openings. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the playground leader positions for the summer 2008; seconded by Mrs. Eshelman; all were in favor and the motion carried.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT J. MAY

Mr. May indicated that he has attended any of the recent meetings and will try to attend the next meeting.

PANDEMIC - Dr. Ivison asked if anymore plans have been done with regard to a pandemic. Ms. Leinbach and Mr. May indicated that we do have our normal emergency plan but nothing further has been done. Mr. May indicated that our plan is very generic because as soon as two or more municipalities are affected the state will step in therefore there is no real need to make any further plans. There was a lengthy discussion; Mr. May indicated that he will try to look into the matter further.

ZONING HEARING BOARD - ALLISON LEINBACH

Ms. Leinbach indicated that there is currently an opening on the Zoning Hearing Board. Mr. Gerald Bricker's term has expired; Ms. Leinbach recommended to Council that they appoint someone else to fill that position since Mr. Bricker was unable to attend the last two hearings. Ms. Leinbach will send a thank you letter to Mr. Bricker thanking him for his service to the Borough. Mr. May asked Ms. Leinbach if she had any recommendations for which she indicated that one of the other candidates that were interviewed to fill the open Council seat would be a good choice. **MOTION:** Mr. Eggert made the motion to table the appointment to the Zoning Hearing Board until the next meeting and authorized the Borough Manager to contact Mrs. Dorothy Jurasinski first and then Mr. Michael Fritz if Mrs. Jurasinski would not be interested in serving on the Zoning Hearing Board; seconded by Mrs. Eshelman; all were in favor and the motion carried.

BOROUGH HALL - ALLISON LEINBACH

PROPOSAL FOR THE RESTORATION OF THE BOROUGH HALL - Ms. Leinbach distributed a handout picture of the Borough Hall where some masonry work needs to be done. The Borough has received a proposal from Mr. Dane Clay in the amount of \$3800.00 to repair and restore the area. Ms. London and Mr. May indicated that since his proposal is under \$4,000 Council could accept the proposal without having to go through the bid process. **MOTION:** Mr. Whitman made the motion to accept Mr. Dane Clay's proposal of \$3800 to restore and repair the east side of the building; seconded by Rev. Michael Bennethum; all were in favor and the motion carried.

ROOF - The notice to proceed was received back from Richard Sensenig Roofing. Ms. Leinbach indicated that she has given them until March 31, 2008

MUNICIPAL LANDS - ALLISON LEINBACH

PLAYGROUND - There was \$700 in repairs at the tennis court from tree branches collapsing onto electric lines and poles and the replacement of poles and electric. The electric feed to the lights at the tennis courts needed to be redone. The security light on the pole by the concession stand for which we contract with Met ED is being removed. The light was going to be taken down by 2010 anyway however the light has been giving us problems therefore we are just going to have the light removed now. The dusk to dawn light is operating on the side of the concession, the pathway lights are lit therefore there should not be a problem with having this light removed.

INSURANCE - ALLISON LEINBACH

The insurance has been changed to a calendar year.

NEWSLETTER - ALLISON LEINBACH

The next newsletter will be going out in March because the egg hunt will be early; Mr. May also asked that the hazardous waste and electronic collection be advertised again. Mr. May asked that a letter be sent to the Solid Waste Authority to see if we can get any information on how much was collected from the Borough residents which could help with the storm water permit. Also Mrs. Grim is going to place another article in the March newsletter regarding the pandemic.

NEW BUSINESS

TECHNICON - Ms. Leinbach asked that Council appoint Technicon as the UCC Code Official; they will handle residential, commercial, fire, and electric. They will work with Brian Sands on the plumbing. We will be appointing Technicon and adopting their fee schedule. From that fee schedule they get 95 percent and we get 5 percent which Ms. Leinbach indicated is a plus since we are losing money currently. **MOTION:** Mr. Eggert made the motion to adopt Resolution #654-2008 appointing Technicon and their fee schedule as the Borough’s UCC Code official; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ADVERTISEMENT OF THE 2008 MEETING SCHEDULE FOR COUNCIL/PLANNING COMMISSION: The meeting schedule was made available for review. The Planning Commission already reviewed their schedule making changes due to holidays; they typically meet the 4th Wednesday of the month. Council will meet on the 2nd Thursday of the month. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the meeting schedules for both the Planning Commission and the Borough Council; seconded by Mrs. Eshelman; all were in favor and the motion carried.

INCOMING AND OUTGOING COMMUNICATIONS:

THANK YOU NOTES: Mrs. Eggert told Council that thank you notes were received from both Crime Alert and Berks County Solid Waste Authority thanking the Borough for their donations.

EXECUTIVE SESSION: MOTION: Mr. Eggert made the motion to enter into executive session to discuss personnel; seconded by Mrs. Eshelman; all were in favor and the motion carried. Council entered into executive session at 8:56 PM. Council came out of executive session at 9:15 PM. No action was taken at this time.

ADJOURNMENT: MOTION: Mr. Eggert made the motion to adjourn the meeting; seconded by Mr. Whitman; all were in favor and the motion carried. The January meeting of the St. Lawrence Borough Council adjourned at 9:16 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan D. Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, FEBRUARY 14, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice-President
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons Jr., Councilman
D. Michael Bennethum, Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Warren Lubenow, Borough Manager
Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
William C. Daniels, Code Enforcement/Zoning Officer
Joshua Kehs, Van Cleef Engineering - leaving 8:50 PM
Joan London, Esq., Borough Solicitor - leaving 8:30 PM
Karyn Feick, Reading Eagle

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May at 7:30 PM.

APPROVAL OF THE MINUTES: The minutes of the reorganization meeting and Council meeting from January 7, 2008 were presented to Council for review. The minutes were reviewed; there were no questions or corrections. **MOTION:** Mr. Eggert made the motion to accept the minutes as presented for both the reorganization and regular Council meeting of January 7, 2008; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ.

COMMUNITY UNITED CHURCH OF CHRIST REQUEST FOR TAX EXEMPTION: The Borough received a request from Community United Church of Christ requesting exemption from taxes for their parsonage. Ms. London indicated that she reviewed a 2004 Commonwealth case that stated that a parsonage is not considered a tax exempt entity only the church itself is considered tax exempt. Ms. London indicated that in order for the parsonage to be exempt it would have to be a charity independent of the church. There was a discussion; Ms. London indicated that the church itself is tax exempt and nothing will ever change that. The reassessment of the property was triggered by a building permit that was pulled for work that was done on the parsonage; prior to that the parsonage was a tax exempt property. **MOTION:** Dr. Ivison made the motion to deny Community United Church of Christ's request for exemption from taxes; seconded by Mrs. Eshelman; all were in favor and motion carried.

WOLFE, BLEACH & DYE - Ms. London drafted a letter for Wolfe, Dye & Bleach denying their request for the Borough to buy back reserved capacity. Mr. May explained that years ago Wolfe, Dye & Bleach needed the extra capacity to do the work that they did; their business plan has changed and no longer need the extra capacity nor are they operating in the Borough. Mr. May indicated that the Borough has already paid for capacity and they had paid EDU's. A few months back, Mr. Andy Wolfe from Wolfe, Dye & Bleach approached Council about the ability to sell EDU's or would the Borough buy back the capacity. EDUs are fees that are assessed for transmission lines and capacity to the plant; it was determined that they don't really own EDU's and that it was more of a fee charged to them; they bought them and this was used for capital improvements to the plant among other items. It was noted that the EDU's stay with the property and that is not something that is owned or can be sold. There is no legal basis to give them any money back. The draft letter was available for review.

ZONING ORDINANCE REVIEW: The new proposed Zoning Ordinance was sent to the County Planning Commission for their review. Ms. Leinbach indicated that she had noted that there were sections missing from the ordinance that that will be sent to them for review. Ms. London indicated that currently there are no substantial comments and that it is in accordance with the Joint Comprehension Plan.

MUNICIPAL LIEN FUNDERBURK - There is an outstanding sewer bill that the Borough has been unable to collect. Ms. Leinbach indicated that in the beginning of December letters were sent out to residents with outstanding sewer bills giving them 30 days to pay or a lien would be placed on their property. As of today there is one outstanding bill that has not been paid. It was noted that there has not been a payment made on this account since May 2007. **MOTION:** Mr. Eggert made the motion authorizing Ms. London to draft a municipal lien to be placed on the Funderburk property in the amount of \$541.08 for an unpaid sewer bill; seconded by Mrs. Eshelman; all were favor and the motion carried.

BAN ON BURNING: Ms. London indicated that there are Boroughs and townships that have a ban on open, uncontained burning such as bon fires and burning of garbage/brush. Exeter Township currently has a ban on burning and requires residents to obtain a permit if they would like to burn and can only be done on certain weekends; Lower Alsace Township has restrictions on open burning that are strict as well. Both municipalities allow outdoor fires in a contained space such as a chiminea but do not allow for a bon fire or open burning of trash. There was a discussion; Mr. May noted that Exeter has a ban on opening burning with the exception of agricultural properties. Ms. Leinbach indicated that we do offer recycling of brush at Trout Run and we do a leave pickup every fall. In addition we have the potential to do a brush pickup in the spring following the first weekend of the month for people who can't take their brush to Trout Run. Ms. Leinbach indicated that she looked into a grant for leaf recycling and that we cannot apply for a grant without having a burn ban in effect. There was discussion about mimicking Exeter's ordinance to make enforcement of the ordinance easier for police. **MOTION:** Mrs. Eshelman made the motion authorizing Ms. London to draft a ban on burning ordinance mimicking Exeter Townships Ordinance for Council to review at the next meeting; seconded by Mr. Eggert, all were in favor and the motion carried.

LANDLORD TENANT REGISTRATION -There was a handout sample of an Ordinance from Berwick Borough for registration of rental units and tenant registration including a tenant code of conduct. Landlord tenant registration is a means of knowing who has rental units, how many rental units they have and to whom they are renting. A new registration would be required for any change in occupancy and we also allow for home inspections of the rental units for minimum standards of habitability and for code violations. There was a discussion with regards to how this could assist the Borough in dealing with problems. At this time the Borough is trying to be proactive in being able to avoid any problems in the future. The handout of the Berwick ordinance was provided as a sample since this particular ordinance has gone through the court system. There was a lengthy discussion with regards to the benefit of having a landlord tenant registration ordinance and more investigation will be done. Mr. May asked all Council members to review the ordinance and bring all questions and concerns to the next meeting. Ms. London indicated that she was going to investigate further how the entire ordinance held up in court and what sections were challenged.

TREASURER'S REPORT

Ms. Leinbach indicated that there is correction that needed to be made on the December treasurer's report; the corrected report was made available for review. Ms. Leinbach also indicated that the January treasurer's report could be accepted as presented and filed for audit. **MOTION:** Mr. Eggert made the motion to accept the revised December 2007 treasurer's report and the January treasurer's report as presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL: \$152,222.28 **SEWER:** \$178,278.66 **LIQUID FUELS:** \$69,861.10 **CAPITAL RESERVE:** \$82,298.40

APPROVAL AND PAYMENT OF THE BILLS

A handout of the bills presented for ratification and payment were presented. Ms. Leinbach indicated that the bill for Daniels Ground Maintenance was not included in the list however she would like to have approval to pay the Daniels Ground Maintenance bill up to \$1,525.00. Bills needing payment and ratification from the general fund totaled \$82,577.24 plus the Daniels Ground Maintenance invoice; the bills needing payment and ratification from the sewer fund totaled \$46,205.44. **MOTION:** Mr. Eggert made the motion to approve payment and ratification of all of the bills presented from the general and sewer funds with the addition of the Daniels Ground Maintenance invoice up to \$1525; seconded by Mrs. Eshelman; all were in favor and the motion carried.

MT. PENN MUNICIPAL AUTHORITY: Ms. Leinbach indicated that the Borough has received a bill from Mt. Penn Municipal Authority for the charging of the sewer billing of the fourth quarter of 2007 which they ran on 1/5/08. The invoice reflected a rate increase for which we were given no notice of raising the price of each bill 15 cents which over the course of the year is an increase of \$1,700. At the time of the last rate increase there were expenses expressed and not just a flat out rate increase. Ms. Leinbach indicated that she does not feel that there is justification for this flat increase just because another year has passed. Mr. May gave Council a little bit of history of the billing processes of Mt. Penn Municipal Authority and the problems that the Borough has had with those processes in the past. There was a lengthy discussion with regard to possibly doing our own sewer billing. Mr. Eggert asked Ms. Leinbach if she knew how much it would cost to do our own billing. Mr. May asked Ms. Leinbach to come back to Council with a definitive proposal on the cost of doing the sewer billing ourselves vs. paying Mt. Penn Municipal Authority to do the billing. Ms. Leinbach indicated that the only possible problem we could have would be with the past due accounts and whether or not we would need to pay Mt. Penn to turn off the water. The other way around turning off the water would be to lien the property. **MOTION:** Mr. Whitman made the motion to pay the bill from Mt. Penn Municipal Authority out of the sewer fund for the fourth quarter billing for 2007 billed to us on January 5, 2008 under the new arrangements of the cost per bill, the total is \$1963.90; seconded by Mr. Simmons; all were in favor and the motion carried.

REPORT OF THE ZONING OFFICER/CODE ENFORCEMENT OFFICER - WILLIAM C. DANIELS

CODE ENFORCEMENT LETTERS: Mr. Daniels indicated that he sent a few notices out; one to a resident on Parkview Road with regard to junk in the yard for which he has started to clean up. Mr. May asked Mr. Daniels if our zoning allows for selling of vehicles at an auto body shop; there was a short discussion however no further action will be taken by Mr. Daniels on this subject.

SUBURBAN PETROLEUM: Mr. Daniels indicated that he met with Mr. Greg Kontz to talk about the process of condemning a property. Mr. Kontz gave Mr. Daniels all of his notes on how to file and he will get together with Ms. London to file with the courts.

ASSISTANT ZONING OFFICER - Mr. Daniels asked that Council appoint Ms. Leinbach as an assistant zoning officer so that she can handle the phone calls that come into the office. **MOTION:** Mr. Eggert made the motion to appoint Ms. Leinbach as the assistant zoning officer; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE BOROUGH ENGINEER - JOSHUA KEHS, VANCLEEF ENGINEERING

Mr. May welcomed Mr. Joshua Kehs as the new Borough Engineer. Mr. Kehs introduced himself to Council and gave Council a little bit of history with regard to his background and the background of the company. Mr. Kehs indicated that Van Cleef has nine offices, three of which are in Pennsylvania with one opening up in spring. Mr. Kehs indicated that he has been reviewing the draft copy of the Schuylkill River Water Shed Act 167 plan that Ms. London's office had forwarded to him. Mr. Kehs stated these county ordinances were require to be adopted by the county and then approved by DEP. Once approved by the DEP the individual municipalities have up to six months to take that ordinance and incorporate it into their own ordinance system and adopt it as one of their own. Mr. Kehs stated that there is not much that can be done with those ordinances as far as rewording or changing criteria. Mr. Kehs is also currently reviewing our storm water maintenance ordinance.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

The monthly incident report was distributed to the members of Council for review. Mayor Lubenow asked if incidents and precautions that residents could take could be advertised in the newsletter, i.e. series of car thefts in the area so be sure to lock your vehicle. Ms. Leinbach asked if the police log report could indicate whether or not the incident took place at a commercial or residential property; Mayor Lubenow will look into this request. Mayor Lubenow indicated a few weeks ago there was a robbery at the Turkey Hill where the police caught the suspect; Mayor Lubenow sent a letter to the officer congratulating him on his excellent police work. Mayor Lubenow is also representing the Borough at the joint municipal meetings where they will be having round table discussions on municipality/school district cooperation.

COMMITTEE REPORTS

Ms. Leinbach has made some suggestions to Mr. May; three council members per committee. Mr. May asked Ms. Leinbach to distribute these to the members of Council; any questions could be addressed at the next meeting.

STREETS & LIGHTS - JOAN EHELMAN

STREET SWEEPING - Mrs. Eshelman presented the proposal from Industrial Grounds Maintenance for the annual spring street sweeping. The proposal was for \$1750 and the posting of the streets for TWO DAYS at the cost of \$250. There was some question as to whether or not the streets were posted last year. Mrs. Eggert will address this with Industrial Ground Maintenance.

MOTION: Mr. Eggert made the motion to accept the proposal from Industrial Grounds Maintenance for street sweeping at the cost of \$1750 and posting of the streets for two days at the cost of \$250; seconded by Rev. Michael Bennethum; all were in favor and the motion carried.

PRE-EMPTIVE DEVICE GRANT - The Borough received a \$10,000 pre-emptive device grant from the state. The Borough will need to do whatever device Exeter chooses in order for emergency personnel to utilize them; Exeter is not planning to install any of these devices at the present time. The Borough knows that the controllers are of age that they will not accept anything unless we get upgrades therefore Ms. Leinbach was asked to investigate whether or not our controllers need updating and whether or not the grant money can be used for the upgrades. The grant money would only cover one intersection, the Prospect Street intersection. The Bingaman Street intersection would cost \$18,000. Mr. May indicated that the cost for multiple municipals purchasing the devices is dramatically cheaper and perhaps we should just wait until Exeter Township is ready to purchase the devices and go together to get a better price. Ms. Leinbach will find out from Telco how much it would cost to upgrade the controllers if find out if grant money can be used for the upgrade. The money must be disbursed by the end of June therefore Council needs to make a decision about whether or not to use the grant or return it to the state.

RECREATION - DAVID EGGERT

EGG HUNT - The egg hunt is scheduled for Good Friday, Friday, March 21 at 9:00 AM. Mrs. Eggert told Council that the Borough has received donations from Palmer Candy and Dairy Queen. Ms. Leinbach indicated that we are purchasing new plastic eggs every year because we have no way of sanitizing the eggs.

SANITARY SEWER - ALLISON LEINBACH/ROBERT MAY

UTILITY SERVICES GROUP - USG submitted payment application #1. USG is the company that is televising the sewer system. We know that their invoice is not going to be for more than \$16,847.70 but under our contract they need to submit a lot of paperwork with the payment application. Mr. May asked Council to pre-approve payment of a suspected invoice for the above amount pending submittal of the paperwork within the next 10 days. This invoice would be for 24,266.8 ft of a total of 43,268 ft that they are televising; this bill will take them through the end of January. Ms. Leinbach indicated that they are almost done with the project and no payment has been made to date. This invoice will include a change order; within the first hour and a half of televising they ran into heavy roots. They quoted us a price for heavy root cutting at 65 cents per linear foot for 8 inch pipe, 75 cents for the 10 inch pipe, 85 cents for the 12 inch pipe and 50 cents a foot for root cutting. This price scale was approved by Ms. Leinbach. This payment application is requesting payment for 24,266.8 ft and in that distant only 783 ft needed heavy cleaning which is a small percentage and only 21 ft needed root cutting. Ms. Leinbach is very happy with the service that the Borough has received from Utility Services Group. **MOTION:** Mr. Eggert made the motion to approve payment to Utility Services Group for payment application #1 not to exceed \$17,000 upon review of the paperwork by the Borough Manager; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ZONING HEARING BOARD - ALLISON LEINBACH

RESOLUTION #656-2008 - Resolution #655-2008 is a resolution to appoint Mrs. Dorothy Jurasinski to the Zoning Hearing Board. **MOTION:** Mrs. Eshelman made the motion to adopt Resolution #655-2008 appointing Mrs. Dorothy Jurasinski to the Zoning Hearing Board; seconded by Mr. Whitman; all were in favor and the motion carried.

BOROUGH HALL - ALLISON LEINBACH

ROOF - The shingle color choice was made, charcoal. Mr. Daniels reviewed the drawings that were submitted for the fastening of the various types of products to be used and that was approved; the letter went out February 14th indicating the color and approval of the drawings. We are proceeding along but obviously with the weather that we have been having they could not be doing the work anyway.

ALARM SYSTEM - The alarm system was installed. The elevator recall is going to be hooked up on February 20th; all of the wiring and everything else is in place to attach three wires however both the alarm company and the elevator maintenance company need to be here at the same time because one will not touch what the other one has done unless both are present. The wiring is in place in the attic for a heat sensor, they are not actually going to install that sensor until after the roof is completed to avoid any possible damage. We have all new sensors, a new panel downstairs, new pull stations, and a heat sensor in the elevator shaft. This work will bring the building to 2006 fire code compliance.

MUNICIPAL LANDS

PROPERTY CORNERS - Mr. May asked Mayor Lubenow if he felt that we should set our property corners up in the woodlands because it is easier to send the surveyors up there now during the winter. Ms. Leinbach will contact Van Cleef and get a price to mark all of the Borough property corners.

TITLE SEARCH FOR JACKSONWALD AVENUE - Ms. Leinbach asked Council if they would authorize a title search for Jacksonwald Avenue; the property came to the Borough with the playground from the old Oley Railroad Line. There are numerous reasons why it would be helpful to know exactly what was turned over and to what extent the Borough owns. This information is needed for code enforcement issues, usage, unimproved portions and storm water. The question, who owns what has come up on several occasions. Ms. London indicated that a settlement company will do this and should only cost a couple of hundred dollars; Ms. Leinbach would like to look into this matter. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to spend up to \$1000 to do a title search for the length of Jacksonwald Avenue; seconded by Mr. Simmons; all were in favor and the motion carried.

INSURANCE - ALLISON LEINBACH

A refund was received in January from switching from the off calendar year that we were on to the calendar year.

NEWSLETTER - ALLISON LEINBACH

The newsletter will be going out in a week or so.

LIBRARY LIASION - MICHAEL BENNETHUM

Rev Bennethum has not heard from the Library Board. Mrs. Eggert has contacted them with Rev. Bennethum's information. Their last meeting was the night of the last snow storm. Mrs. Eggert will contact the board again with Rev. Bennethum's information.

BOROUGH MANAGER REPORT

The report was distributed to Council for their review.

UNFINISHED BUSINESS

RESOLUTION NO #655-2008 - This resolution needs to be signed appointing Rev. Michael Bennethum to Council. This resolution was approved at the last meeting.

NEW BUSINESS

DANIELS GROUND MAINTENANCE - Daniels Ground Maintenance requested a rate increase due to the price of fuel and usage as well as equipment maintenance and insurance. Mr. Daniels indicated that this rate change will not change for grass cutting at the playground and municipal lands since this is under contract. **MOTION:** Mr. Eggert made the motion to approve the rate increase for Daniels Ground Maintenance at the rate of \$20 per hour for maintenance issues other than playground grass cutting and municipal land grass cutting; seconded by Mrs. Eshelman; all were in favor and the motion carried.

INCOMING & OUTGOING COMMUNICATIONS

MORGAN STANLEY - Invitations to a seminar on GASB 45, the Borough does not adhere to GASB accounting because we don't have any outstanding municipal bonds. The cost to the Borough to do that would be pretty extensive therefore we don't follow it. This seminar also includes retirement funds; the Borough has no retirement fund.

STATEMENT OF FINANCIAL INTEREST - The statements of financial interest were distributed; this form is for 2007. The forms can be filled out and returned to Mrs. Eggert to keep on file.

ELECTED OFFICIALS DINNER - The invitations were forward to Council members. The dinner is on 2/21/08, the reservation deadline is Feb 15. Anyone interested needs to make their reservation.

EXECUTIVE SESSION

MOTION: Mr. Eggert made the motion to go into executive session to discuss personnel issues; seconded by Mr. Robert May; all were in favor and the motion carried. Council went into executive session at 9:26 PM. Council came out of executive session at 9:45 PM.

PERSONNEL

MOTION: Mrs. Eshelman made the motion to increase the hourly rate of the Borough Secretary from \$13.00 per hour to \$13.98 retro back to 1/1/08; seconded by Rev. Bennethum; with Mr. May, Rev. Bennethum, Mr. Simmons, Dr. Ivison and Mrs. Eshelman voting in favor; abstaining Mr. Eggert and Mr. Whitman due to personal relationship with the Borough Secretary.

MOTION: Mr. Whitman made the motion to increase the Borough Manager's annual salary from \$54,688 to \$57,330, retro back to 1/1/08; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ADJOURNMENT: MOTION: Mr. Whitman made the motion to adjourn; seconded by Mrs. Eshelman; all were in favor the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 9:52 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan D. Eggert
Borough Secretary

**ST. LAWRENE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, MARCH 13, 2008**

ATTENDANCE:

Robert J. May, Council President
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons Jr., Councilman
D. Michael Bennethum, Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Warren Lubenow, Borough Mayor
Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
Joshua Kehs, VanCleaf Engineering
Joan London, Esq., Borough Solicitor
Derek Hicks, Reading Eagle
Larry Readinger, Borough Resident
Sherry Readinger, Borough Resident

ABSENT:

David W. Eggert, Council Vice-President
William Daniels, Code Enforcement Officer

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Mr. Robert May, Council President at 7:30 PM.

APPROVAL OF THE MINUTES: The minutes from the February 14, 2008 meeting of Borough Council were distributed prior to the meeting for review. There were no questions or changes. **MOTION:** Mrs. Eshelman made the motion to accept and approve the minutes of the February 14, 2008 meeting as presented; seconded by Mr. Whitman; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council prior to the meeting for review. Ms. Leinbach indicated that the treasurer's report could be approved as presented. There were no questions or concerns.

MOTION: Mr. Whitman made the motion to accept and approve the treasurer's report as presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL: \$92,476.71 **SEWER:** \$143,800.47 **LIQUID FUELS:** \$69,998.51 **CAPTIAL RESERVE:** \$82,460.28

APPROVAL AND PAYMENT OF THE BILLS: Ms. Leinbach indicated that the bills needing approval and ratification out of the general fund was \$35,888.76 and out of the sewer fund \$4,672.56. There were no questions or concerns. **MOTION:** Mrs. Eshelman made the motion to approve and ratify the bills presented for payment; seconded by Mr. Simmons; all were in favor and the motion carried.

PUBLIC HEARINGS & PETITIONS, ETC

LARRY READINGER/SHERRY READINGER, 496 PARKVIEW ROAD - Mr. Readinger presented to complain about the problem with raw sewage getting into his basement every time it rains. Mr. Readinger indicated that he called DEP and they came to check it out, he called the Borough Hall and also Exeter. Exeter agreed to give him \$150 for clean up cost; a letter was sent by Exeter Township and Mr. Readinger indicated that he is not willing to accept that offer and will be taking this matter further. Mr. May asked Ms. Leinbach which line this overflowing causing this problem for the Readinger's; Ms. Leinbach indicated that she thought that it was the Exeter interceptor line. This line backs up into St. Lawrence's line and causes an overflow in St. Lawrence's line. Mr. May explained to Mr. Readinger that the Borough and Exeter are currently working on a correction action plan with DEP. Mr. Readinger indicated that he was aware of that but was told that it could take until 2010 for the problem to be fixed and he would like something to be done sooner. Ms. Leinbach indicated that the Exeter interceptor line is the problem it will take a while to correct the plan. Mr. May indicated that the Borough will talk to Exeter and see where they are with the project; Mr. May admitted that we know that there is a problem in this area and that the Borough will talk to Exeter further about this problem. Mayor Lubenow indicated that the Borough has gotten the entire St. Lawrence sewer system televised and has done some repairs on the system.

REPORT OF THE ZONING/CODE ENFORCEMENT OFFICER - WILLIAM C. DANIELS

ORCHARD COURT PROPERTY - Mr. Daniels was not in attendance this evening however Ms. Leinbach indicated that Mr. Daniels does have some updated paperwork that he will be passing on to her next week at her convenience.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ

BURN BAN ORDINANCE - Ms. London indicated that she prepared a draft burn ban ordinance which was based off of Exeter's to make it easier for enforcement. It was advertised in the newsletter that the Borough authorized the Solicitor to prepare an ordinance banning burning with the exception of fire training, camp fires with a permit, and burning with a permit for certain materials on certain properties located 100 ft or more from any building or structure which would leave out a lot of residential properties on smaller lots but allow it on larger lots where the burning of brush is necessary. This will allow for controlled burning in the form of grills, chimneas, and manufactured outdoor fireplaces but prohibits most of the uncontrolled burning of trash and recyclables which occurs in other places. This will also provide for burn permits and burn weekend at the same time as Exeter Township. Ms. Leinbach told Council that we cannot apply for any type of grant for acquiring equipment or bags until there is a ban on burning. **MOTION:** Mr. Whitman made the motion to move forward with the advertisement of the ordinance for public review for a ban on burning to be adopted at a later meeting, Ms. London will clean up the formatting; seconded by Mrs. Eshelman; all were in favor and the motion carried.

MCDEVITT EASEMENT - Ms. London distributed a letter that she received for Attorney Forry which at this point is more informational than anything else. This letter basically indicated that there is an underlying private road case which is called McDevitt vs. Fried; our involvement is that we the Borough have permitted the McDevitt's to use the fire trail to access their property and had we not done that the entire property would be land locked. The intention of the McDevitt's would be that there would be one residence only on the property which is reflected in the agreement however there are concerns raised by Mr. Steven Fried that this would lead to subdivision of the property. In this case there was a pre-trial conference with Judge Stallone who suggested that the fire trail easement would not be sufficient; Ms. London indicated that she has not heard exactly why it would not be sufficient. Before any action is taken by the Borough Attorney Forry has asked to be advised if this matter is going to be discussed and if the Borough is going to take any further action other than what has already been done which it to allow the McDevitt's to use the fire trail to access their property. At this time Ms. London recommended that no further action needs to be taken unless the Borough is ordered to do so. Ms. Leinbach indicated that we had received a letter from the property owner the day after Council gave approval to the easement. Ms. London indicated that Mr. Fried is opposed to our easement and anything that would allow future development of the McDevitt property.

JACKSONWALD AVENUE TITLE SEARCH - Ms. London indicated that she needed some further information from Ms. Leinbach. Mayor Lubenow asked how long it would take after she receives the information that she needs; Ms. London indicated that it would properly only take a few weeks.

REPORT OF THE BOROUGH ENGINEER - JOSHUA KEHS, VAN CLEEF ENGINEERING

Mr. Kehn gave an update on the storm water management ordinance. Mr. Kehn indicated that Mr. May asked about the exemption criteria for the storm water management ordinance. Mr. Kehn indicated what was approved by the DEP is what the Borough has to adopt. There is little lead way in changing the guidelines but there is however a section specifically on exemption where there is some lead way with regard to impervious area. The Borough can set a number of square footage that is disconnected meaning not directly connected to a storm sewer via pipe anywhere from 250 to 1000 square feet. This would be the exemption number which would not require a storm water plan. Mr. Kehn indicated that they are currently reviewing this ordinance and will provide comment to the Borough; the Borough needs to decide what that number should be whether it is 250, 1000 or anything in between that. Mr. May indicated that the municipal planning code says anything under 5000 square feet does not require a land development plan however you must still abide by the set backs but you are not required to come in with a surveyor. However another ordinance that we need to adopt, since we were a stage II storm water municipality and have a permit from DEP, concerning all of the storm water that goes into Antietam creek indicates that you must regulate any impervious or any type of paving or anything that has to do with not letting storm water soak back into the ground. Mr. Kehn indicated that if you read the Schuylkill Water Shed Act 167 Ordinance which will become the storm water management ordinance the way they establish what triggers the need for these plans includes meeting certain criteria for rate control and getting rid of the quantity of storm water or quality which is defined as either a subdivision or a land development or is anything that requires a building permit and/or creates disturbance.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

Mayor Lubenow indicated that the incident reports are included in the packet. There is nothing unusual on the incident reports. The police are doing speeding details once again and were on Parkview Road about 2-3 wks ago. They will also be doing some details on some of the smaller roads in the near future. In addition Mayor Lubenow indicated that the police will also be doing some checks for seat belt. Apparently they are being encouraged by the state to do seat belt checks within Exeter and St. Lawrence.

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There was a discussion as to whether or not cameras can be put on the traffic signals for ticketing purposes; Ms. Leinbach indicated that she believed that if you did that you could only ticket the owner of the vehicle and not necessarily the driver. Mayor Lubenow attended the Round Table discussion about 2 wks ago to try to improve communications within municipalities and school boards. Exeter Township was present but no one from Exeter Township School Board was present. The one thing that was recommended was that municipalities meet on a regular basis and not wait until a crisis exists such as now trying to find a location for an elementary school to try to resolve any potential problems and keep open communications. There was such a thing back about 10-15 years, a quarterly meeting between Exeter School Board and St. Lawrence. Mayor Lubenow indicated that this may not be a bad idea to try to get going again to avoid friction between municipalities and school districts. Mayor Lubenow answered all questions

BUDGET & FINANCE - ALLISON LEINBACH

PA STATE TREASURY DEPARTMENT - This was approved about one year ago however the paperwork was never completed because Commerce Bank had a much higher interest rate. Since that is no longer the case Ms. Leinbach wanted approval to complete and submit the paperwork for setting up this account. This is an account that is available for local governments and nonprofit organizations. **MOTION:** Mrs. Eshelman made the motion authorizing Ms. Leinbach to complete the paperwork for the purpose of setting up the account with the state treasury department; seconded by Mr. Simmons; all were in favor and the motion carried.

PLANNING COMMISSION - ALLISON LEINBACH

ANNUAL REPORT - The Planning Commission submitted the annual report which is required under the Municipal Planning Code. This report was reviewed; there was a typo error with regard to the year; this will be changed from 1993 to 2007. Ms. Leinbach and Mayor Lubenow who sits on the Planning Commission gave further information on the meeting with Exeter School District who presented a few options for a new elementary school down on the Lausch Elementary property.

ZONING ORDINANCE - Ms. Leinbach indicated that the Commission is taking the opportunity to re-look at the new zoning ordinance to make some more recommendations to Council on a couple of areas. This should be ready to be presented to Council next month and then it can then be sent back to the County for review along with the missing sections from the last time.

SANITARY SEWER - ALLISON LEINBACH

TELEVISION PROJECT - Ms. Leinbach indicated that the televising project is actually complete. There is an application for payment which will work the same way as the previous application. We currently do not have all of the documents necessary to process payment because their entire office is suffering from the flu. Ms. Leinbach is looking for a contingent approval for \$14,205.04 to be paid to Utility Services Group once all the paperwork is received that is required. **MOTION:** Mr. Whitman made the motion authorizing payment of the invoice from Utility Services Group, Inc. for \$14,205.04 contingent on the additional paperwork that is required; seconded by Mrs. Eshelman; all were in favor and the motion carried.

TRASH & RECYCLING - CARY WHITMAN

SPRING CLEAN UP - Spring Clean up is scheduled for May 15, 2008.

RECYCLING - Dr. Ivison indicated that he read in the newsletter about trying to get people to comply with recycling so that we can bring down the cost of trash removal. Dr. Ivison indicated that he had asked about a year or so ago as to whether or not we could include other numbers rather than just 1 and 2 in terms of plastics. Ms. Leinbach indicated that we are limited at the moment by the contract that is in place. We have an ordinance dating back to 1996 however we are in the midst of updating the ordinance; this ordinance was put on hold until the issue of how to deal with multiple units was decided. There are some technical issues that we are going to try to work out with the company who picks up our recycling but expanding what we pick up would mean renegotiating the contract. We are currently in the second year of a three year contract with two one year renewals. Ms. Leinbach indicated that she is going to talk to Eagle Disposal about getting a dumpster here for recycling and then let some of the smaller businesses in the Borough bring their recycling here rather than forcing them to get their own dumpster. We could offer this for smaller business but we just cannot handle a super huge amount here. Currently our goal would be to get the residents who are not recycling to recycle.

RECREATION - DAVID EGGERT - ABSENT THIS EVENING

EGG HUNT - The annual egg hunt is scheduled for March 21 at 9:00 AM. Mt. Penn Fire Company will be providing the transportation for the Easter bunny. We will be stuffing eggs on Wednesday, March 19 and there are some Exeter High School students who need community service hours as well as other volunteers coming to help stuff the eggs. We have received a lot of donations from businesses and residents.

PLAYGROUND LEADERS - We will be holding playground leader interviews on Friday, March 14 at 3:00 PM. Mrs. Eshelman will be present for the interviews.

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EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

EOP - Ms. Leinbach is currently working on the emergency operation plan.

BOROUGH HALL - ALLISON LEINBACH

ROOF - Ms. Leinbach has talked to the roofing company and because of the weather over the last month or so they are behind schedule. Ms. Leinbach informed Richard Sensenig Roofing that they will not be able to work on the roof on election day; they understood and will either be done with the project before then or start after that timeframe.

MUNICIPAL LANDS - WARREN LUBENOW

GYSKY MOTH SPRAYING - Mayor Lubenow indicated that the Borough is included in the gypsy moth spraying; we have already paid for this to be done.

NEWSLETTER- ALLISON LEINBACH

Ms. Leinbach indicated that the newsletter had to be expanded a page due to the quantity of information. The next newsletter will be the playground newsletter; the municipal newsletter will go out shortly thereafter (May timeframe). Dr. Iverson indicated that he felt the newsletter was very informative.

LIBRARY LIAISON - MICHAEL BENNETHUM

Rev. Bennethum spoke to Linda Strain after our last meeting. She is putting together a packet with orientation information which he has not yet seen. The next meeting is March 20th although it turns out because of work related travel Rev. Bennethum will not actually get to a meeting until July. Mr. May indicated that he will try to attend in Rev. Bennethum's place until July.

BOROUGH MANAGER'S REPORT - ALLISON LEINBACH

The report was made available for the Council's review. There were no questions.

UNFINISHED BUSINESS

LANDLORD TENANT REGISTRATION - Ms. London indicated that she had review the Berwick case on the landlord tenant registration ordinance. The ordinance was challenged in federal court on various constitutional claims such as right to privacy and protection because of treating tenants differently than homeowners. It survived those challenges. There were also some state law claims though that the court stated that they were not going to rule on. These will need to be taken up in state court; there are potential challenges to tenant registration in state court. Ms. London indicated that the ordinance has not been tested in a state court and has not been tested in the eastern district of Pennsylvania which could potentially rule differently in some of the views. Ms. London told Council that the landlord tenant registration as of now has survived court challenges but that is not a guarantee that the state court or a different federal court might not look at it differently. Rev. Bennethum thanked Ms. Leinbach for sending the file in PDF format for Council's review.

NEW BUSINESS

RIGHT TO KNOW LAW - Ms. Leinbach indicated that there is a "Right to know law" that the state has passed which will take effect at the end of the year. This information was handed out to members of Council for review. We do have an ordinance in place that was originally done in 2002 but it will need to be updated by the end of the year. Council will review this information over the next several months; this will need to be revisited by the October meeting.

INCOMING & OUTGOING COMMUNICATIONS

INVITATION FOR THE BOROUGH OFFICIALS DINNER - Invitations were distributed to the Council members for the 2008 Dinner for Borough Officials. Anyone who is interested in attending will let Mrs. Eggert know if they are interested in attending and the reservations will be made, the date of the dinner is Friday, April 4th.

THANK YOU LETTER - Mrs. Eggert presented a thank you letter that was received from the Center for Community Leadership for our \$500 contribution.

ADJOURNMENT - MOTION: Mr. Whitman made a motion to adjourn; seconded by Mrs. Eshelman; all were in favor and the motion carried. The March meeting of the St. Lawrence Borough Council adjourned at 8:35 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan Eggert, Borough Secretary
ST. LAWRENCE BOROUGH COUNCIL
3/08

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, APRIL 10, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice-President
Joan Eshelman, Councilwoman
James G. Simmons Jr., Councilman
D. Michael Bennethum, Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison Leinbach, Borough Manager
Warren Lubenow, Borough Mayor
Susan Eggert, Borough Secretary
Brian Focht, Van Cleef Engineering
Joan London, Esq., Kozloff Stoudt
Karyn Feick, Reading Eagle
Caroline Bohn, Borough Resident

ABSENT:

Ronald Ivison, Councilman
William Daniels, Zoning Officer

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May at 7:32 PM.

APPROVAL OF THE MINUTES: The minutes of the March Borough Council meeting were distributed to the members of Council prior to the meeting for review. There were no questions or corrections. **MOTION:** Mrs. Joan Eshelman made the motion to accept the minutes as presented; seconded by Mr. Whitman; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council for their review prior to the meeting. Ms. Leinbach indicated that the treasurer's report could be approved as submitted; there were no questions or concerns. **MOTION:** Mr. David Eggert made the motion to approve the treasurer's report as submitted; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL: \$151,801.47 **SEWER:** \$144,060.18 **LIQUID FUELS:** \$70,099.49 **CAPITAL RESERVE:** \$82,579.24

APPROVAL AND PAYMENT OF THE BILLS: The bills needing ratification and approval for payment from the general fund totaled \$63,574.11 and from the sewer fund in the amount of \$24,688.88. There were no questions or concerns. **MOTION:** Mr. James Simmons made the motion to approve and ratify the bills presented for payment; seconded by Mr. Eggert; all were in favor and the motion carried.

REPORT OF THE ZONING AND CODE ENFORCEMENT OFFICER - WILLIAM C. DANIELS

Mr. Daniels was not in attendance this evening. Ms. Leinbach indicated that there are a few issues that Mr. Daniels is working on. Ms. Leinbach indicated that Mr. Daniels's wage increase was not reviewed last month. There was a short discussion with regard to setting up a two tier system; one wage for building maintenance and another wage for zoning. Mr. May asked that this be tabled since Mr. Daniels was not in attendance this evening to discuss this with Mr. Daniels. There was a discussion about possibly paying Mr. Daniels an hourly wage instead of a flat rate for code enforcement issues.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ. KOZLOFF STOUTD

BURN BAN - Ms. London indicated that the proposed burn ban ordinance was advertised on April 2, 2008 in the Reading Eagle. This ordinance prohibits in any residential district the burning of any type of trash or waste however would allow burning on a few properties which are agricultural with a permit and only certain weekends of the month weather permitting. This does not prohibit controlled burns such as a grill or chimnea. This is also mandatory in order to get any grants for recycling from DEP. **MOTION:** Mr. Whitman made the motion to adopt Ordinance #388 which prohibits burning; seconded by Mrs. Eshelman; all were in favor and the motion carried.

STORM WATER MANAGEMENT ORDINANCE – This is an ordinance that is required by the county for all municipalities in the Schuylkill River Basin to adopt. Ms. London indicated that she has been working on the draft received by the County with Van Cleef Engineering. Both Ms. London and Mr. Focht from Van Cleef Engineering agree that the final draft should be ready for adoption by the next meeting therefore authorization for advertisement of the storm water management ordinance was needed. There was a short discussion about the size of the area that could be disturbed without having to provide for storm water maintenance, that number is 1000 square foot. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the storm water management ordinance #389; seconded by Mrs. Eshelman, all were in favor and the motion carried.

JACKSONWALD AVENUE TITLE SEARCH - Copies of the summary were distributed to members of Council. There were full copies available for review. Ms. London indicated that she was directed to request a title search along Jacksonwald Avenue to determine the ownership of the unimproved properties along Jacksonwald Avenue. It was determined that quite a bit of land along Jacksonwald Avenue was originally the property of Oley Valley Railway Company; the successor of which is Met Ed however it does not appear that Met Ed has used much of the land. There have been questions risen about repair and maintenance of retaining walls, the enforcement rights of the Borough as well as the true ownership and whether or not the Borough by adverse possession can acquire the title to that property. Mr. May asked if the Borough could get a quitclaim to the land; Ms. London replied that you could but if you are challenged you would have to prove that you have taken care of this property and have been using the property for the last 21 years. There was a short discussion and Council decided to have Ms. London file for a quitclaim for the property. **MOTION:** Rev. Bennethum made the motion authorizing Ms. London to begin the process to quitclaim the property; seconded by Mrs. Eshelman; all were in favor with the exception of Mr. Whitman who abstained because he is an adjacent property owner; the motion carried.

REPORT OF THE BOROUGH ENGINEER - VAN CLEEF ENGINEERING – BRIAN FOCHT

STORM WATER MANAGEMENT ORDINANCE - Mr. Focht indicated that the fees associated with the ordinance needs to be reviewed. Mr. Focht provided the map that needs to be included with the ordinance this evening.

SURVEYING OF THE WOODLANDS - Ms. Leinbach indicated that she had spoken to Mr. Kehs about surveying the woodlands and placing pins at the corners of the Borough properties. Ms. Leinbach indicated that there is about 255 acres of Borough owned woodlands to be surveyed. This will be done in the fall of 2008.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

POLICE REPORT - Mayor Lubenow told Council that because of the earliness of the meeting there was no police report available for tonight's meeting.

BILLING FOR INCIDENT- Mayor Lubenow did speak to Chief Neidert about the bill that the Borough received. This bill was for overtime that the officers had to put in to investigate the accident at the shopping center. Mayor Lubenow asked if there would be a charge for the incident at the playground basketball court where a young man died; there will be no charge for that incident.

WOLFE DYE & BLEACH PROPERTY - Mayor Lubenow spoke with the Chief and Mr. Wolfe about the Wolfe Dye & Bleach building and the amount of vandalism. The police and Mr. Wolfe will try to work together to get this problem resolved; the Borough will start to document code enforcement issues at this property. Mr. Simmons indicated that no trespassing signs have been posted and there has been no open doors since the signs have been posted.

SPEED SENTRY SIGN - Ms. Leinbach indicated that we need to get a sign cemented into the ground so that the sign can be stabilized. Ms. Leinbach indicated that she will ask Mr. Daniels to get the sign post cemented into the ground so that the sign can be setup. The Keep Kids Alive Drive 25 sign also needs to be put on a cemented in the ground pole in order to hold the sign. Now that the nicer weather is coming this will be done as soon as possible.

PUBLIC HEARING & COMMENT

CAROLINE BOHN - 309 Levan Street

Mrs. Bohn presented to Council to complain about a problem that she has been having with a neighbor with regard to a joining fence between the two yards. During a wind storm this past winter a large tree fell on the fence which has not been cleaned up as of yet nor has the fence been repaired. Because the fence has not been repaired the neighbor's dog is coming into her yard. Mrs. Bohn has spoken with her neighbor and has gone to the police department about the dog. Council has asked that Mr. Daniels go out and look at the fence to be sure that there are no Borough codes that are being broken and issue a code enforcement letter if necessary.

BUDGET & FINANCE - ALLISON LEINBACH

2007 BOROUGH AUDIT - The audit letter was prepared by Maillie, Falconiero & Company; the usual statements about the cash basis of accounting were stated as the other one always did however the audit indicated that our findings are accurate. This was a good audit. **MOTION:** Mr. Eggert made the motion to accept the findings of the audit by Maillie, Falconiero & Company; seconded by Mrs. Eshelman; all were in favor and the motion carried.

STREET LIGHTS - JOAN ESHELMAN

PRE-EMPTION DEVICE GRANT - Ms. Leinbach indicated that the grant money needs to be used within the next couple of months. Ms. Leinbach told Council that she had talked to Telco last year; the grant would only cover one pre-emption device, the intersection at Prospect Street. There are no updates that need to be done to the controllers at this time. Council asked that Ms. Leinbach get another quote for the installation of the pre-emption devices so that a decision can be made whether or not to give back the money or purchase the device.

PLANNING COMMISSION - ALLISON LEINBACH

The Planning Commission did meet in March. They did a lot of updating to the zoning ordinance with regard to parking and took a good hard look at some of the sections that were not reviewed in detail the last time. There were a good amount of changes that the Commission decided to make and would like to look at it all printed out at their April meeting. They will send it back to Council for the May meeting; then it can be sent back to the County for their review. We are looking at July for adoption of the new zoning ordinance.

SANITARY SEWER - ALLISON LEINBACH

Ms. Leinbach has reviewed most of the videotape. The Borough was planning to do a big street project next year but the words broken and multiple fractures have appeared on the videotaping. Ms. Leinbach indicated that a lot of digging could be involved therefore to hold off on any street paving project until the sewer work can be done would be the best so that newly paved streets will not have to be disturbed. Ms. Leinbach is currently categorizing the repairs so that all of the digs can be done together.

TRASH & RECYCLING - CARY G. WHITMAN

TRASH & RECYCLING ORDINANCE - Ms. Leinbach indicated that she will start to work on this ordinance again since it was put on hold until the zoning ordinance was completed in order to decide how to handle the multi-unit properties. There was a discussion about the storage of trash; the property maintenance code does require trash to be stored in a container. This will be addressed further in the new ordinance.

RECREATION - DAVID EGGERT

EGG HUNT - The egg hunt was a big success with no rain. There were over 100 kids in attendance for the hunt; the age groups vary every year. We had around 2800 eggs that were stuffed by community service high school students and volunteers.

BASKETBALL COURT - Mr. Whitman indicated that he received a complaint from the Borough residents that they are not able to play basketball because larger groups of kids will not play. Last year we had the same problem and the police department came to monitor however they did not intervene unless there was a problem. Mayor Lubenow indicated that he would speak to the Chief of the department again to see if they could come and talk to the kids about sharing the courts. There was a discussion about purchasing other backboards to put on the Adams Street side creating two half courts. Ms. Leinbach indicated that the lights are not functioning correctly at this time; the electrician has been contacted and will be looking into the matter.

PLAYGROUND LEADERS - Interviews were conducted; the Borough Manager's recommendations would be to hire Mackenzie Bricker at \$8.50 an hour and Bridgette Rothermel at \$9.00 an hour. Ms. Leinbach indicated that she felt that these two young ladies would be able to handle the discipline problem that has been lacking over the last several years since both of these young ladies have teaching experience. **MOTION:** Mr. Eggert made the motion to hire both Ms. Bricker and Ms. Rothermel at the salaries stated above; seconded by Mrs. Eshelman; all were in favor and the motion carried.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

EOP - Ms. Leinbach is currently working on the EOP for the Borough. Letters will be sent to Community UCC, Exeter School District, and Ageless Harmony for their EOPs because they will need to be attached to the Borough's plan.

TOTAL VISIBILITY - Mr. Eggert has been appointed to coordinate this because he already has the training. Mr. Eggert would like to setup photos prior to the next Council meeting on May 8, 2008 from 6:30-7:30 PM. The paperwork and information will need to be gathered prior to that time.

INSURANCE - ALLISON LEINBACH

BONDING - During the audit the auditors questioned whether or not Mt. Penn Municipal Authority was bonded for the amount of money that they collect on the Borough's behalf. Council authorized Ms. London to write a letter to the Solicitor of the Mt. Penn Borough Authority asking whether or not there was a bond.

NEWSLETTER - ALLISON LEINBACH

The next newsletter will go out in May which will contain the playground information instead of sending a separate newsletter. Articles are being gathered for the May newsletter. Ms. Leinbach indicated that we may do a separate newsletter containing all of the ordinances that have been passed since there is a lot of information that needs to be conveyed to the residents.

LIBRARY LIAISON - MICHAEL BENNETHUM

Rev. Bennethum has met with the secretary of the library board and has been brought up to date on items of interest.

BOROUGH MANAGER'S REPORT - ALLISON LEINBACH

The report was distributed to the members of Council for review. There were no questions.

NEW BUSINESS

APPOINTMENT OF MR. DANIELS TO BERKS COUNTY CO-OP PURCHASING COUNCIL - Ms. Leinbach asked Council to appoint Mr. Daniels as an alternate second appointment to the Berks County Co-Op Purchasing Council by way of Resolution #658. The Resolution will be worded as the Borough Manager and the Zoning Officer rather than individual names so that the appointment goes with the position and not the individual. **MOTION:** Rev Bennethum made the motion to adopt Resolution #658 appointing the zoning officer as an alternate to the Berks County Co-op Purchasing Council; seconded by Mrs. Eshelman; all were in favor and the motion carried.

IPMC - Ms. Leinbach proposed that Council adopt the International Property Maintenance Code 2006. Ms. London indicated that it would be advantageous to add a clause allowing by resolution adoption of updated UCC according to the state. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise for the adoption of the updated International Property Maintenance Code 2006 and to add a clause for updating by resolution to follow the state for the UCC.

GENERAL COMMENTS TO COUNCIL

VACATION SCHEDULES - Mrs. Eggert asked Council members to check their vacation schedules and make sure that they will be able to attend all of the meetings scheduled throughout the summer months so that we can be sure that we have a quorum.

COMMUNITY GARDENS - Mayor Lubenow indicated that there are eight families that are involved with the gardens. The clean up has begun and Lutz Masonry has donated blocks to replace the rotted wood.

ADJOURNMENT: MOTION: Mr. Whitman made the motion to adjourn the meeting; seconded by Mr. Eggert; all were in favor and the motion carried. The St. Lawrence Borough Council meeting was adjourned at 9:05 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan D. Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MNUTES
THURSDAY, MAY 8, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice President
Rev. D. Michael Bennethum, Councilman
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons, Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
William C. Daniels, Code Enforcement/Zoning
Joshua Kehs, Borough Engineer (Van Cleef Eng.)
Joan London, Esq., Borough Solicitor (KS)
Caroline Bohn, Borough Resident
David Kostival, Reading Eagle
Brian Sands, Plumbing Inspector

ABSENT:

Warren Lubenow, Borough Mayor

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May at 7:30 PM.

APPROVAL OF THE MINUTES: The minutes of the meeting held Thursday, April 10, 2008, were distributed to the members of Council for review. There were no questions or corrections. **MOTION:** Mrs. Joan Eshelman made the motion to approve the minutes as presented; seconded by Mr. Eggert; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council for review. Ms. Leinbach indicated that the treasurer's report could be approved as presented and filed for audit. **MOTION:** Dr. Ivison made the motion to approve the treasurer's report as submitted; seconded by Mr. James Simmons; all were in favor and the motion carried.

GENERAL: \$260,409.66 **SEWER:** \$164,896.02 **LIQUID FUELS:** \$106,688.75 **CAPITAL RESERVE:** \$82,685.80

APPROVAL AND PAYMENT OF THE BILLS: The list of the bills needing ratification and approval for payment from the general fund and the sewer fund were presented to Council. The general fund total was \$33,027.53 including one check out of the recreation operations account; the total to be paid out of the sewer fund is \$52,546.69. All questions were answered. **MOTION:** Mr. Eggert made the motion to approve payment and ratification of the bills presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE CODE ENFORCEMENT/ZONING OFFICER - WILLIAM C. DANIELS

MRS. CAROLINE BOHN -LEVAN STREET - Mr. Daniels told Council that he looked at the situation for which Mrs. Bohn presented to Council in April with regard to a tree laying on the fence that adjoins her property and her neighbor's property. Mr. Daniels also contacted Mr. Greg Koontz from Exeter to see if he had ever had any situations like this one in Exeter. Mr. Daniels indicated that Mr. Koontz never had a situation similar to this one and has researched the property maintenance code but has been unable to come up with any violations. Mrs. Bohn herself had stated that they are not sure who the fence belongs to because the fence was up when she moved into the property as well as the neighbors. Mr. Daniels consulted with Mrs. London and both agree that this is a private dispute between neighbors and there is really nothing that the Borough can do to resolve the matter.

APPEAL FROM RESIDENT ON ORCHARD COURT - The Borough did receive a letter with regard to one of the code enforcement letters that was sent out however we have not responded back to the resident as of yet.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ – KOZLOFF STOUTD

STORM WATER MANAGEMENT ORDINANCE #389 - Ms. London presented the ordinance, this was advertised in the Reading Eagle on 4/28/08. The ordinance was presented to Council last month and the revisions requested by Council were made. The County and DEP require that the Borough adopt this ordinance. There were no questions. **MOTION:** Mr. Eggert made the motion to adopt Storm Water Management Ordinance #389; seconded by Mrs. Eshelman; all were in favor and the motion carried.

IPMC – ORDINANCE #390 - Mrs. London was authorized to prepare this ordinance; Ms. Leinbach advertised the ordinance in the Reading Eagle on 4/28/08. Ordinance #390 is for adoption of the International Property Maintenance Code 2006 by the ICC as the property maintenance code for the Borough of St. Lawrence with certain sections modified for the Borough of St. Lawrence, prosecution of violation as a summary offense under the current state code; weed height which is the same as the present ordinance and under motor vehicles allows for one uninspected, unregistered vehicle with the exception of allowing overhaul in an enclosed garage which is different from the existing ordinance. **MOTION:** Mr. Eggert made the motion to adopt the IPMC 2006 as the property maintenance code for the Borough of St. Lawrence which allows for the enforcement in matters of property maintenance; seconded by Mr. Simmons; all were in favor and the motion carried.

JACKSONWALD AVENUE TITLE SEARCH - Ms. London did pass along to First Energy the Jacksonwald Avenue title search requesting that the properties be quick claimed to the Borough. Ms. London stated that she heard from their legal office and was passed along to the real estate office and is expecting a reply shortly.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

Mayor Lubenow was not present this evening and due to the earliness of the meeting there were no police reports for review.

BUDGET & FINANCE - ALLISON LEINBACH

CASH FLOW DOCUMENTS - The cash flow documents were available for review. There were no questions.

STREETS & LIGHTS - JOAN EHELMAN

PRE-EMPTION TRAFFICE DEVICE GRANT - Ms. Leinbach indicated that the Borough has until the end of June to use the grant or we need to return the money to the state. Ms. Leinbach indicated that she had spoken to Telco and the \$18,000 quote for the Bingaman Street intersection was \$8,000 for the controller and \$10,000 for the pre-emptive device. After reviewing the grant documentation the only intersection that had been submitted for was Bingaman Street. There was a short discussion; Mr. May asked if the grant money could be used for the updating of the controller and return the balance of the money to the state; Ms. Leinbach indicated that she interpreted the grant documentation to say that it was for the device only and not the controller. Mr. May asked if Ms. Leinbach to find out if the money could be used for the controller and if so he felt that the controller should be updated now since we know that that has to be done. **MOTION:** Mr. Eggert made the motion authorizing Ms. Leinbach to investigate further if we can upgrade the controller on the Bingaman Street traffic signal for future installation of the traffic pre-emptive device and if that is permissible under the grant that we should proceed forward with that and if not then we should formally return the grant money; seconded by Dr. Ivison; all were in favor and the motion carried.

PLANNING COMMISSION - ALLISON LEINBACH

ZONING ORDINANCE - The new proposed zoning ordinance was distributed to the members of Council. There were some changes made to the back half of the zoning ordinance involving parking and home occupation. The recommendations for parking were changed to three parking spaces per dwelling unit not to include the garage which matches Exeter's zoning ordinance. Parking has created some problems and the Commission felt that this change was necessary. There was a short discussion with regard to parking and Council agreed that three parking spaces not to include the garage was a good idea and supported the change. Parking for schools has been changed to match Exeter's zoning ordinance which the Commission felt reflected the current driving habits and needs. There was a short discussion and Mr. Kehs told Council that this was in line with what all of the other municipalities have in place. Ms. Leinbach told Council that the biggest area of issue has to do with property lines and setbacks for fences and walls. The current zoning ordinance allows fences on the property line; the recommendation by the engineer was five feet, it was then knocked down to two feet. The Commission went back and forth on this issue; the Commission decided to just leave it with the property line; Council agreed to leaving it on the property line. Home occupation regulations were also discussed. Home occupation regulations limits home occupation to single family detached dwelling which limits where a home occupation is allowed. Ms. Leinbach indicated that the current zoning ordinance restricts this as well. Ms. London indicated that the rational basis for home occupations that are not no impact do have impact on neighboring properties and by limiting this to a single family detached dwelling lessens the impact. The regulations also require that person who want to conduct the home occupation has to provide off street parking. The only thing that the Commission did not do that Exeter requires with a home occupation is only allow home occupations by conditional use and charge an annual permit fee to continue the home occupation. By limiting it to single family dwelling this does limit locations that can operate now anyway so whether or not there is a need for this is really up to Council. Ms. Leinbach and Mr. Daniels indicated that they don't feel that anybody has abused the home occupation regulations and that there has not been any complaints received about anybody with a home occupation. Mr. May asked about the neighbor impact letters; neighbor impact letters needs to be defined in the definitions. Ms. London indicated that the neighbor impact letters should be defined as the applicant you need to prepare an analysis of how it will impact the neighbors if at all and also a plan for the remediation and/or mitigation of said impacts.

Ms. Leinbach was looking for Council to approval the draft zoning ordinance so that it can sent to the County and the municipalities in the joint comprehension plan for review. Ms. London also asked for authorization for advertisement of the ordinance once the County review and the submission to the neighboring municipalities in the comprehensive plan has been completed. There will be a public hearing prior to adoption of the ordinance and postings for the Borough Center and resident notification letters will need to be sent. It was decided to do a mass mailing to the residents for notification of the new zoning ordinance in the form of a newsletter to all residents. **MOTION:** Mr. Eggert made the motion to authorize the Borough Manager and Solicitor to move forward on submitting the draft zoning ordinance to the County for review as well as the municipalities in our joint comprehensive plan, have the Solicitor put some appropriate wording in for neighbor impact letters and to sent notification in the form of a newsletter certain aspects of this ordinance as well as other recently adopted ordinances for informational purposes to the residents as well as making copies available at Borough Hall for review. Also posting of the new zoning change and mailing of the notifications by first class mail to addresses on the tax records; seconded by Mrs. Eshelman; all were in favor and the motion carried.

SANITARY SEWER - ALLISON LEINBACH

ANN WIERZBICKI - Mrs. Wierzbicki sent a request to the Borough for relief on her sewer bill for the first quarter. Mrs. Wierzbicki had called a plumber after receiving the a high water/sewer bill and was told that the pressure valve went bad. The plumber told her that he believed that the water was recycling through. According to the Borough plumbing inspector he believed that it was most likely water being used. Council took no action on this request therefore there will be no relief of the sewer bill granted.

TRASH & RECYCLING - CARY G WHITMAN

SPRING CLEAN UP - Spring clean up is scheduled for Thursday, May 15.

RECYCLING - Ms. Leinbach indicated that the recycling truck has been full. The driver stops in the Borough Hall on pick up days and will try to write down the addresses from properties that are not recycling at all or simply throwing it in the regular trash so that the Borough can send enforcement letters.

RECREATION - DAVID EGGERT

BASKETBALL BACKBOARDS - Mr. Eggert told Council that there has been ongoing problems with the basketball court and felt that the NBA regulation backboards have been causing more of the problems. There has been persistent problems with trash, foul language, and threatening of residents who say anything to the people who are playing basketball. Mr. Eggert proposes that we somehow eliminate the NBA regulation back boards and replace them with regular playground backboards and move the poles creating two half courts vs. full court. Mr. Eggert indicated that this will eliminate the bigger kids making the smaller kids leave the court and make the courts less attractive to the crowds who are causing problems. Ms. Leinbach indicated that she has received complaints from residents who have been cleaning up the court who were threatened. Council's feeling is that ever since the NBA style backboards were installed we have had nothing but problems. There was a short discussion; Dr. Ivison asked what the cost of replacement would be and the significance of the problem. Mr. May indicated that he felt that these backboards attracted an older age group and possibly by replacing these backboards with standard playground backboards would be more age appropriate. **MOTION:** Mr. Eggert made the motion to eliminate the NBA backboards as soon as possible and get the new poles and backboards installed as soon as possible prior to playground season if possible as well as returning the donated backboards to the person who donated them; seconded by Rev. Bennethum; all were in favor and the motion carried.

PLAYGROUND LEADERS - Mrs. Eggert indicated that the playground leaders have accepted the positions as approved by Council at the last meeting. At least one playground leader needs CPR training and Mr. Eggert will be contact to schedule that training.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

RESOLUTION # 658 - Resolution 658 is for the adoption of the emergency operations plan. The plan was made available for review by Council. Mr. May explained that once municipal borders get crossed to different municipalities it becomes a county issue because they have more resources. Mr. May stated that we meet the minimum requirements. **MOTION:** Mr. Whitman made the motion to adopt Resolution 658 adopting the emergency operations plan as laid out in the Borough of St. Lawrence's Emergency Operation Plan; seconded by Mrs. Eshelman; all were in favor and the motion carried.

BOROUGH HALL - ALLISON LEINBACH

ROOF - Ms. Leinbach indicated that the roof is approximately half-way done. The total price of the project is \$82,000 with a \$1500 change order currently. Ms. Leinbach indicated that she suspects that the roof will take another 2 wks weather permitting.

NEWSLETTER - ALLISON LEINBACH

A newsletter just went out and the next newsletter will be approx mid June.

BOROUGH MANAGER’S REPORT - ALLISON LEINBACH

The report was available for review.

UNFINISHED BUSINESS

RENTER REGISTRATION - This was discussed previously and information was made available for Council’s review. No further action was taken this evening. Ms. London will prepare a generic ordinance for the next meeting with a sample registration form.

MR. DANIEL’S WAGES: There was a short discussion about changing the wages for code enforcement and zoning to an hourly rate vs. per violation. Mr. May asked Ms. Leinbach to come up with a recommendation; Ms. London indicated that this should be done by resolution; this will be prepared for June’s Council meeting.

SLUDGE DRYER - Mr. May attended the sludge drying exhibit that Exeter held and updated Council on Exeter’s intentions for purchasing a sludge dryer and what benefits it could have to the Borough. The Borough has no say in what Exeter does with regards to the purchase of a sludge dryer but may have to pay for operating costs in the long run.

INCOMING & OUTGOING COMMUNICATIONS

INVITATION FOR BREAKFAST WITH THE COMMISSIONERS - The invitation for the Breakfast with the Commissioners scheduled for Friday, May 23 was distributed to the members of Council. Anyone wishing to attend should contact Mrs. Eggert and the reservations will be made.

PUBLIC HEARINGS

CAROLINE BOHN – LEVAN STREET - Mrs. Bohn arrived after Mr. Daniels gave his report. Mrs. Bohn was informed that the Borough has found no violations with regard to property maintenance and the problem with the fence is a civil matter between neighbors.

ADJOURNMENT - MOTION: Mr. Whitman made the motion to adjourn; seconded by Mrs. Eshelman; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 8:51 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan D. Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, JUNE 12, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice-President
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
Joshua Kehs, Borough Engineer (Van Cleef Engineering)
Joan London, Esq., Borough Solicitor (KS)
Karyn Feick, Reading Eagle

ABSENT:

Rev. Michael Bennethum, Councilman
William C. Daniels, Code Enforcement/Zoning Officer

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May at 7:30 PM.

APPROVAL OF THE MINUTES: The minutes of the May 8, 2008 meeting were distributed to Council prior to the meeting for review. The minutes were reviewed; there were no questions or corrections. **MOTION:** Dr. Ronald Ivison made the motion to approve the minutes as presented; seconded by Mr. David Eggert; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council prior to the meeting for review. Ms. Leinbach indicated that the treasurer's report could be approved as presented. There were no questions or corrections. **MOTION:** Mr. David Eggert made the motion to approve the treasurer's report as presented; seconded by Mr. Cary Whitman; all were in favor and the motion carried.

GENERAL: \$295,070.12 SEWER: \$142,412.07 LIQUID FUELS: \$106,866.72 CAPITAL RESERVE: \$82,823.73

APPROVAL FOR ROOF PAYMENT: The roof project has been completed and an invoice was received including one change order totaling \$83,602.50. Mr. Whitman asked what the guarantee of the roof was and Ms. Leinbach replied that the roof was guaranteed for 30 years and will recheck the guarantee of the rubber and report back to Council at next month's meeting.

MOTION: Mr. Eggert made the motion to approve payment of the invoice for the roof project totaling \$83,602.50 to Richard L. Sensenig Company; seconded by Mr. Whitman; all were in favor and the motion carried.

APPROVAL OF APPLICATIONS # 3 & 4 FOR THE SEWER TELEVISIONING PROJECT: Ms. Leinbach indicated that application #3 is for \$1,098.74 and application #4 is for \$3,572.39 which closes out the original contract with the initial change orders which has all been completed however does not include the lateral televising and the manhole repairs. We have finally received the video of the laterals but they did not identify them so we have no idea which lateral is which. There was one manhole repair but they have not been able to with the equipment they have repair the other. The above amounts closes out the original contract. The other repairs that have not been billed is below the threshold of \$4,000 and totals \$3,575.00. Applications #3 and #4 total \$4,671.13. **MOTION:** Mr. Eggert made the motion approving payment of applications #3 and #4 totaling \$4,671.13 for the sewer line televising; seconded by Mrs. Joan Eshelman; all were in favor and the motion carried.

APPROVAL AND PAYMENT OF THE BILLS: Ms. Leinbach indicated that included in the totals are the amounts that were just approved. The general fund includes three payroll periods, this payroll was made early because everybody involved in signing checks will be on vacation. Bills to be paid from the general fund totals \$126,535.55; the sewer fun total which includes Utility Services Group is \$20,366.99. All questions were answered. **MOTION:** Mr. Eggert made the motion approving payment and ratification of all bills; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ – KOZLOFF STOUTD

SAMPLE OF RENTAL UNIT REGISTRATION - Ms. London indicated that she has a sample ordinance that was adopted by Pike Township in the mid 1990s that was faxed on 5/15/08. Copies of this was not available for review. Ms. Leinbach indicated that she was just looking for a basic renter's registration/tenant registration. Ms. London indicated that she was in the process of preparing something just like that for someone else and will have this available for the July meeting.

OPEN RECORDS ORDINANCE - Ms. London indicated that Mrs. Eggert forwarded her a sample ordinance which is in line with the amendments to the open records act which will go into full effect at the end of this year, 12/31/08. This appoints an open records compliance officer and states a lot of what is in the current resolution but does need to be updated with the changes in the act. Ms. London recommended advertising this ordinance for adoption for next month. Copies were not made available for Council's review. Ms. Leinbach indicated that the raw ordinance from the State Association of Boroughs was sent to Ms. London and did not know if there was going to be comment back therefore copies were not made available. Ms. London indicates that this is a very basic ordinance and has the changes in the Right to Know Act and different classes of documents that are subject to open records and appoints the Borough Manager to be the compliance officer or designate a compliance officer. Copies will be sent to everyone prior to next meeting. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the open records ordinance for adoption at the next meeting; seconded by Mrs. Eshelman; all were in favor and the motion carried.

LETTER OF CREDIT FROM FORINO - Ms. London reviewed the letter of credit for Parkview Village which has an expiration date of 6/16/08 and also has an evergreen clause that states that it does not expire unless notice is given 30 days in advance and will automatically renew for another year. Ms. Leinbach indicated that no notice was received therefore this will renew for another year. Ms. Leinbach indicated that she had received a request via SSM asking if the Borough would be willing to take over the streets and the street lighting in Parkview Village, the response back to them was no. They are only 16 units into 31 units and the back half of the units have not been completed as of yet which means that they would be putting the final paving onto the surface that is going to have construction vehicles driving over; this would be bad policy. Ms. London indicated that no streets should be taken over until construction is 100% completed.

HOMEOWNER'S ASSOCIATION FOR PARKVIEW VILLAGE - Mayor Lubenow asked about the status of the Homeowner's Association and whether or not it was active. Ms. Leinbach and Ms. London are trying to get a copy of the final copy of this document since one was never received in the Borough office. Ms. London has been in contact with the attorney for Forino over the past six months and he assures us that the document does exist and will get this to the Borough. Council has asked Ms. London to inform Forino and the attorney that if the document is not received by August that Council will vote not to issue any more occupancy permits. Ms. London indicated that she will inform them of this request.

REPORT OF THE BOROUGH ENGINEER - JOSHUA KEHS, VAN CLEEF ENGINEERING

STREET OPENING PERMITS - Mr. Kehn reviewed the current street occupancy fee schedule and application. Van Cleef has revised this application to include a PA One Call and the fee schedule was actually revised as well. This revised document and fee schedule will need to be adopted by resolution. The document was reviewed in detail. Mr. May asked if Mt. Penn Water was required to pull a permit; Ms. Leinbach indicated that there is an ordinance in place that waives the permit fee however she feels that they should not be waived from the application process. **MOTION:** Mr. Eggert made the motion to adopt Resolution 661-2008 updating street open permit schedule and application; seconded by Mrs. Eshelman; all were in favor and the motion carried.

SALDO - Ms. Leinbach indicated that after going through the update of the zoning ordinance Mr. Kehn was asked what the Borough would need to do to have them take the current SALDO, look at it, and report back to Planning with what needs to be updated and what changes need to be made. Mr. Kehn indicated that they looked at revising the SALDO from the perspective that they would analyze every section, compare it to current standards and current options and come up with a draft SALDO; change things that are required by the states which would be quite expensive because this is a very large document and a lot of things have changed with development standards and roads since the last update 20 years ago. Mr. Kehn also provided other options to cut back on the price. There was a short discussion with regard to the options. Mr. Kehn anticipated that this could cost between \$10,000-\$20,000. Mr. Kehn suggested that if Council was willing to spend \$1,500 for them to look into this and see how much work needs to be done and report back with more information at the next meeting. Mr. May suggested that Mr. Kehn look at Exeter's SALDO and see how much of that would apply to the Borough. **MOTION:** Dr. Ivison made the motion authorizing Mr. Kehn and Van Cleef Engineering to spend \$1,500 to do a preliminary review and compare Exeter's to ours and report back to Council in July; seconded by Mr. Simmons; all were in favor and the motion carried.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

POLICE REPORTS - Both of the April and May reports were distributed to the members of Council for review. Since the reports were printed there has been an updated April report which will be attached to the minutes.

BREAKFAST WITH THE COMMISSIONERS - Mayor Lubenow and Mrs. Eshelman attended the breakfast. Mayor Lubenow indicated that they were looking for all municipalities to adopt an ordinance with regard to graffiti and allowing the County to come and clean up all graffiti. Mayor Lubenow indicated that he had also spoke to the about the Reverse 911 and why the County is not doing that on a countywide basis versus each municipality doing it on their own. Mayor Lubenow told Council that he had spoken to Mr. Mark Scott who agreed that this made a lot of sense. Mayor Lubenow has spoken with Mr. Craig Breneiser who also agreed that that would be the way to go and that that could be done but at this time with the move and everything else going on he would prefer to wait but would be willing to bring this up at meetings; this would be funded by all the municipalities. Mr. May indicated that perhaps Ms. Leinbach should write a letter confirming that Council is in favor of a countywide Reverse 911 system. Mr. Eggert suggested that Mr. Brian Gottschall, Director of Berks County EMA also receive a copy of this letter.

SECURITY OF BUILDINGS - Mayor Lubenow talked about his concern about the security of vacant buildings. Mayor Lubenow indicated that windows are being broken out and Central Door (Eastern Millwork) has disconnected the fire alarm system because the air compressor was sold at auction that puts air into the fire alarm system. Ms. Leinbach indicated that she forwarded the e-mail from the former fire marshal who she will be meeting with tomorrow who possibly would be interested in becoming the Borough's new fire marshal who stated that the fire alarm system must be operational. Ms. London was asked to contact the owner of Eastern Millwork that the system must be made up and running and to secure the property. There was discussion with concern about the vacant buildings becoming so deteriorated that they are beyond repair. Mayor Lubenow indicated that Wolfe Dye & Bleach has a building where the roof has collapsed, doors are open and windows are broken. Ms. London indicated that as long as they are the property owners it is their responsibility to secure the building. After a short discussion Council decided to have Ms. London contact the property owners of Wolfe Dye & Bleach and Eastern Millwork that the Borough will be starting action for demolition of their buildings due to the fire issue at Eastern Millwork and the caving in of buildings, broken windows and etc at Wolfe Dye & Bleach. **MOTION:** Mr. Eggert made the motion authorizing Ms. London to begin the steps for demolition by contacting the property owners about the Borough's intentions; seconded by Mrs. Eshelman; all were in favor and the motion carried.

BUDGET & FINANCE - ALLISON LEINBACH

CASH FLOW DOCUMENTS - The cash flow documents were available for review. There were no questions. Ms. Leinbach told Council that she has been in discussion with Mr. Sands, the plumbing inspection whether a heating system upgrade or window upgrade is the next move for the building. The plan was to do the roof first and then windows. Ms. Leinbach was authorized to look into the windows; the windows by themselves and then installation of our windows and will report back to Council next month.

STREET & LIGHTS - JOAN EHELMAN

DCED GRANT - Ms. Leinbach was asked to find out about the \$10,000 traffic pre-emption grant at the last meeting. Ms. Leinbach contacted them and requested an extension on the grant and a contract change at the same time to allow us to use the money for the controller. New contracts need to be signed this evening that includes the updating of the controller and the one year extension; this document is due by 6/24/08. **MOTION:** Mr. Eggert made the motion authorizing the Council President to sign the amended contract with DCED requesting a one year extension and a work scope to include the modification of traffic controller; seconded by Mr. Whitman; all were in favor and the motion carried.

LEDs - Mayor Lubenow asked about the replacement of traffic lights to LEDs. Ms. Leinbach indicated that she has been checking on the price and it still would be about \$15,000 for replacement of all of the signals. Ms. Leinbach indicated that she received a call last week asking about our interest in joining a group of municipalities who are seeking money from the state to do all of the LED traffic signals at one time in the county. Ms. Leinbach indicated that they will get back to us depending upon interest and if it looks like the state will go forward with this request. Mr. May asked that perhaps the Borough should budget for this next year.

PLANNING COMMISSION - ALLISON LEINBACH

REAPPOINTMENT OF BARRY BIXLER - **MOTION:** Mr. Whitman made the motion reappointing Mr. Barry Bixler to the Planning Commission for a term ending 4/1/13; seconded by Mrs. Eshelman; all were in favor and the motion carried.

SEWER - ALLISON LEINBACH/ROBERT MAY

GREASE TRAP INSPECTIONS - This has been discussed over the last few years. This would be an annual inspection unless re-inspection is necessary. This will help eliminate any problems with the sanitary sewer system. The fee set for inspection at \$75.00 and re-inspection fee of \$75.00. **MOTION:** Mrs. Eshelman made a motion to adopt Resolution 660-2008 which sets our grease trap inspection fee and re-inspection fee at \$75.00; seconded by Mr. Eggert; all were in favor and the motion carried.

SEWER REPAIRS - Ms. Leinbach indicated that she is looking for authorization to start the preliminary bid specs for the sewer repairs that we are going to need to make to the sanitary sewer system from the results of the videotape. There will be various different types of work that has to be done. Ms. Leinbach is going to gather as much of the information as possible so that SSM will not have to do that portion of the specs. **MOTION:** Mr. Eggert made the motion authorizing SSM our sanitary system consultant to review the videotape and DVD inspection of the sewers to write repair specs based on that; seconded by Mr. Whitman; all were in favor and the motion carried. Ms. Leinbach indicated that while reviewing the videotape there are roots growing out of laterals which are coming from properties; since there are no trees in the street the question of removing the roots and charging the residents 50% to cover the cost of having that done. If this is not done this could eventually cause problems in the main. There has been a time in the past where residents along St. Lawrence Avenue was forced to fix curbs and if that was not done the Borough did the work and billed the residents; if not paid a lien was placed on the property. It was the feeling of Council that it would only be fair if the residents were required to pay 50%. **MOTION:** Mr. Eggert made the motion to inform that residents that have root masses in their laterals that the Borough is going to have all of the laterals done and the resident will be billed 50%, if the bill is not paid there will be a lien placed on the property; seconded by Mr. Whitman; all were in favor and the motion carried.

TRASH & RECYCLING - CARY WHITMAN

NEW TRASH & RECYCLING ORDINANCE - Ms. Leinbach indicated that she is hoping to have this ordinance ready for review at next meeting. The main issue is at what point do we decide where a multi-unit must get their own trash/recycling service. We also need to make sure that we have strong enforcement in place because that is what the state requires. Ms. London and Ms. Leinbach will be working on this together to present to Council in July.

RECREATION - DAVID EGGERT

SUBSTITUTE PLAYGROUND LEADERS - Ms. Leinbach asked Council for authorization to hire two substitute playground leaders; Lindsey Neiman and Isaiah Yoder at a rate of \$7.50. **MOTION:** Mr. Eggert made the motion authorizing the hiring of Lindsey Neiman and Isaiah Yoder as substitute playground leaders; seconded by Mrs. Eshelman; all were in favor and the motion carried.

PLAYGROUND - The playground is scheduled to open on Monday, June 16. We had the electrician up on the playground who installed a ceiling fan in the concession stand and working on the pathway and field lights. We have two basic backboards to install, currently there is no plan to move the poles due to some problems with placement of backboards.

EMERGENCY MEDICAL COORDINATOR - ROBERT MAY

TOTAL VISIBILITY CARDS - The cards have been requested but are not yet available. There has been no response from the school district about their emergency operation plan. Ageless Harmony has replied. John F. Lutz Apartments has contacted the Borough for more information. Ms. Leinbach questioned as to whether or not we could find out from the County if anyone responded to the special needs information that was advertised in the newsletter. Ms. Leinbach will write a letter to the County to find out whether anyone responded due to the newsletter.

BOROUGH HALL

HEAT SENSOR IN ATTIC - Alarm Tech has been contacted that the roof is completed and the heat sensor can now be placed in the attic.

MUNICIPAL LANDS

LOCATION OF THE CORNERS ON BOROUGH LAND - Van Cleef will be doing this in the fall.

GYPSY MOTH SPRAY - The spray has been done. This did not eliminate the problem but has visibly helped the problem. Mayor Lubenow will be attending a county meeting with regard to the gypsy moths in July.

STATE GAME COMMISSION - Mayor Lubenow has talked to the stage gaming commission about allowing bow hunting up on our municipal land. This would need to be done by ordinance; Ms. London will investigate if any other municipalities have similar ordinances. The Commission stated that the area does not need to be posted all over just at the entrance. There was discussion about how this will work and how will it be enforced.

MT. PENN WATER - Ms. London indicated that she had sent a letter to Mt. Penn Water's attorney asking about a bond. The only bond that they have is a \$40,000 dishonesty bond. There is discussion between the solicitors; the Borough does not feel that this bond is sufficient.

NEWSLETTER COMMITTEE - ALLISON LEINBACH

The newsletter should be ready for distribution early July.

BOROUGH MANAGER’S REPORT - ALLISON LEINBACH

The Borough Manager’s report was distributed for review.

UNFINISHED BUSINESS

SALARY WAGES SCHEDULE - RESOLUTION #659-2008 - Resolution #659 will set the salaries for Borough Employees retro to 1/1/08. There was a discussion. **MOTION:** Mr. Eggert made the motion to adopt Resolution #659-2008 setting the salaries for Borough Employees; seconded by Mrs. Eshelman; all were in favor and the motion carried.

NEW BUSINESS

NO PARKING AT BOROUGH HALL - There has been a persistent problem with cars being left in the Borough Parking Lot overnight or for a few nights. **MOTION:** Mr. Eggert made the motion to post a no trespassing sign with no parking for more than 24 hrs be posted at Borough Hall; seconded by Mrs. Eshelman; all were in favor and the motion carried.

AUTHORIZATION TO DESTROY RECORDS - Ms. Leinbach asked Council for authorization to destroy all but one copy of the sewer televising project bid documents. **MOTION:** Mr. Eggert made the motion authorizing Ms. Leinbach to destroy all but one copy of the bid documents for the sewer televising project; seconded by Mr. Whitman; all were in favor and the motion carried.

INCOMING & OUTGOING COMMUNICATIONS

CLAMBAKE - The invitation to the Borough’s Association & Mayor’s Clambake was distributed to the members of Council. Anyone interested in attending will contact Mrs. Eggert and make their reservation.

ADJOURNMENT: **MOTION:** Mr. Whitman made the motion to adjourn the meeting; seconded by Mr. Eggert; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council was adjourned at 9:30 PM.

Respectively submitted,

Signed/Susan D. Eggert

Susan D. Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, JULY 10, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice-President
D. Michael Bennethum, Councilman
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons, Jr., Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
Joshua Kehs, Borough Engineer (Van Cleef)
Joan London, Esq., Borough Solicitor (KS)
Derek Hicks, Reading Eagle
Warren Lubenow, Borough Mayor
William C. Daniels, Code Enforcement/Zoning
Scott Sweigart, Forino Developers
Kenneth Schnader, Forino Developers

ABSENT:

Cary G. Whitman, Councilman

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May, at 7:30 PM.

APPROVAL OF THE MINUTES: The minutes of the June 12, 2008 meeting were distributed to the members of Council for review prior to the meeting. **MOTION:** Mrs. Joan Eshelman made the motion to accept the minutes as presented; seconded by Mr. David Eggert; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council prior to the meeting for review. Ms. Leinbach indicated that the report could be accepted as presented. There were no questions or corrections. **MOTION:** Mrs. Eshelman made the motion to accept the treasurer's report as presented; seconded by Mr. David Eggert; all were in favor and the motion carried.

GENERAL: \$243,959.11 SEWER: \$127,851.80 LIQUID FEULS: \$107,054.36 CAPITAL RESERVE: \$82,969.16

APPROVAL AND PAYMENT OF THE BILLS: The bills to be ratified and approved for payment were distributed to the members of Council for review. There were no questions. The bills to be ratified and approved for payment from the general fund total \$62,415.70 and the bills from the sewer fund total \$43,609.26. **MOTION:** Rev. D. Michael Bennethum made the motion ratifying and approving all of the bills presented for payment; seconded by Mrs. Eshelman; all were in favor and the motion carried.

PUBLIC HEARINGS, PETITIONS:

SCOTT SWEIGART, FORINO DEVELOPERS: Mr. Sweigart and Mr. Schnader came to the meeting tonight to discuss the dedication of Maci Way, Parkview Village. Mr. Sweigart indicated that he has spoken to Mr. Conrad and Ms. London about the timeframe of dedication of the street. Mr. Sweigart presented pictures to Council showing that they are down to the last six units; all of the foundations are completed and they indicated that all of the outside work should be done by the end of August. The only concrete work that needs to be done would be the sidewalks and driveways and one or two other small blocks of concrete. Forino would like to offer the street for dedication; within the next 3-4 weeks all of the heavy machinery projects will be completed and the finished coat will go on the asphalt. Mr. May asked Mr. Sweigart why it would be advantageous for the Borough to take the street now rather than waiting until the end of the project, Mr. Sweigart indicated that that is a very gray area however there is an 18-month maintenance period where Forino is still responsible for the street. There was a short discussion with regard to accepting the street at this time. There is financial security and the maintenance plan. Ms. London indicated that there is an issue that Council has expressed in the past with regard to the street lights being energized.

Mr. Schnader indicated that they need to issue a work order to Met Ed to energize the lights; this could be a 3 month process and if Council agreed to take over the street this would be an important condition. Mr. May indicated that it was his understanding that both parties agree that everything needs to be under roof, substantially framed, sidewalks and all concrete needs to be done and street lights should be operable. The risk increases if there are no street lights; the Borough will not take the street if there are increased risks. Ms. London indicated also that all trucks or dumpsters remaining must be parked either in the driveway or in the parking areas and not parked on the dedicated street however there is a maintenance bond and it would be advantageous to Forino to avoid this as well. Mr. Sweigart indicated that he does not control Met Ed and that he has no control over that issue however Mr. Sweigart indicated that they will get the paperwork started tomorrow but there is no guarantee when the lights will be energized. With regards to liquid fuels all paperwork needs to be submitted by 8/31/08 or no liquid fuels will be received. The Borough has had the Resolution from Met Ed since 12/06 for the maintenance of the street lights on Maci Way; this was discussed this evening and Council agreed to adopt the Resolution this evening. Forino guaranteed Council that all of the other work will be done by the end of August but cannot guarantee that the lights will be energized. Mr. May asked Ms. London if Council needs to pass a Resolution indicating that the Borough would be willing to accept dedication of Maci Way based on the conditions discussed; all buildings are roofed, all substantial completion on the exterior walls, sidewalks and storm water facilities have been installed and inspected. In addition it would be preferable if the street lights be operable however if the lights are not operable the Borough would like to be keep informed of the progress on the lights and the maintenance security bond. **MOTION:** Mr. Eggert made the motion that contingent upon the above conditions to accept dedication of Maci Way to the Borough; seconded by Mrs. Eshelman; all were in favor and the motion carried. A Resolution, Resolution 664-2008 will be prepared for next month's meeting. Mr. Schnader asked if Spotts, Stevens & McCoy was finishing the project; Ms. Leinbach answered yes however Van Cleef will be doing the final inspection along with Spotts, Stevens & McCoy since they are the new Borough Engineers. Mayor Lubenow asked if the Homeowner's Association was in effect and Mr. Sweigart indicated that yes and that Forino Developers are the officers.

STREET LIGHT RESOLUTION FOR MACI WAY - There was a Resolution sent to the Borough for maintenance on the streetlights on Maci Way. This would be Resolution 665-2008, this was previously discussed during the petition by Forino Developers. Mr. Sweigart indicated that Angie Stackhouse, Met Ed Customer Representative for the Borough is out on maternity leave. Ms. Leinbach will contact Met Ed and find out who is filling in for Ms. Stackhouse so that the paperwork can be expedited. **MOTION:** Mr. Eggert made the motion to adopt Resolution 665-2008 for the street lights on Maci Way; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE CODE ENFORCEMENT OFFICER/ZONING OFFICER - WILLIAM C. DANIELS

SUBURBAN PETROLEUM PROPERTY - Mr. Daniels indicated that he has contacted the people who had the clothing boxes on the side of the property. The boxes were picked up however there was a pile of furniture, mattress, and boxes of items left behind and unfortunately the pile keeps getting bigger and bigger. Mr. Daniels indicated that if the mess is not cleaned up by Friday afternoon he will contact them again.

DEMOLITION LETTERS - Ms. London has forwarded two letters to Ms. Leinbach regarding the demolition of buildings in the Borough which was previously discussed at the June meeting. Ms. Leinbach indicated that she needed some clarification before proceeding. Ms. Leinbach told Council that she feels that it has not been long enough to demolish the building at Wolfe Dye & Bleach. Mayor Lubenow indicated that the building in question poses a danger since the roof has caved in and has been that way for quite some time. There was a short discussion and Council decided to move forward and take the chance in court with this action. The Suburban Petroleum building is definitely deteriorated and the demolition letter will be forwarded.

CODE ENFORCEMENT LETTERS - Mr. Daniels indicated that he has sent three code enforcement letters for uncut weeds and grass. Mr. Ganster was serving a code enforcement that was sent certified mail and not picked up.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ

RENTER'S REGISTRATION - Ms. London was asked to get a sample of a renter's registration to the Borough. Ms. Leinbach indicated that she has received the sample but that it needs some work; Ms. London indicated that was geared more toward a large city but that all of the necessary elements are in the ordinance. Ms. Leinbach and Ms. London will work together on the ordinance.

OPEN RECORDS ORDINANCE #391 - Open records policy ordinance #391 brings the open record policy which was updated last in 2002 in line with the open records act amendments of 2008. The definitions went into effect on 7/1/08, name of the open records officer went into effect immediately and the remainder of this goes into effect at the end of this year. This ordinance designates an open records officer and establishes policies and exceptions to the definition of public records; our ordinance names a position and not a person as the open records officer. **MOTION:** Mr. Eggert made the motion to adopt Ordinance #391 which was advertised in the Reading Eagle on 6/30/08 establishing the Borough's Open Record Policy; seconded by Rev. Bennethum; all were in favor and the motion carried.

ZONING ORDINANCE AMMENDMENTS - We have received a letter from the County Planning Commission indicating that they have found the ordinance amendments to be in compliance with the County Comprehensive Plan. The County Planning Commission is in agreement with the ordinance with the exception of two minor changes which have already been made. The ordinance is ready to be advertised for a public hearing at the August meeting. Mr. May indicated that we would need to have a public hearing at 7:00 PM prior to the August meeting, this will run no later than 7:30 PM and will be advertised as such with the regular business meeting at 7:30 PM. Ms. Leinbach indicated that the Borough office will do the letters and the posting. Ms. London indicated that there needs to be a quorum for the public meeting; Mrs. Eggert will remind all Council members that they need to be at the August meeting by 7:00 PM. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the zoning ordinance amendments and to post a public meeting at 7 PM to be completed by 7:30 PM at the August Council Meeting; seconded by Mrs. Eshelman; all were in favor and the motion carried. Anyone not able to attend the August meeting needs to let Mrs. Eggert know so that we can be sure to have a quorum.

MT. PENN WATER AUTHORITY - Ms. London indicated that she had received a letter from the solicitor for Mt. Penn Borough Authority stating that during the regular public meeting held 7/9/08 Mt. Penn Authority approved the extension of the dishonesty insurance policy from \$50,000 to \$200,000 which would address our concerns about bonding.

HUNTING ORDINANCE - Ms. Leinbach indicated that she just received the ordinance earlier in the week and needs to review it before presenting it to Council. This will be reported on at the August meeting.

REPORT OF THE BOROUGH ENGINEER - JOSHUA KEHS, VAN CLEEF ENGINEERING

SALDO - Mr. Kehs stated that at the last Council meeting in June that he was authorized to review the St. Lawrence SALDO vs. the Exeter SALDO and come up with a strategy to see if they could be meshed together. Mr. Kehs indicated that they have taken some time and looked at both SALDOs and in conclusion it certainly can be done. Mr. Kehs indicated that he was surprised that there were a lot of sections in the Borough SALDO even though is a little bit older that is actually well written. Mr. Kehs indicated that the Exeter ordinance has good sections as well. Mr. Kehs provided documents with comments. Mr. Kehs indicated that the next step would be to take the suggestions and mesh them into the ordinance. Mr. Kehs indicated that he knows that Council was looking for a price to have Van Cleef do the work on the ordinance; Mr. Kehs indicated that he is pretty confident by looking at only the Borough and the Exeter ordinances that it could be done for \$5,000. There was a short discussion and it was decided to have The Planning Commission look at the document and see if there are any hot topics and let Van Cleef do the work and report back to Council.

STREET OPENING PERMIT - Mr. Kehs indicated that Service Electric did contact him and they will be using the new street opening permit application for work that needs to be done.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

SPEED CONTROL ON ST. LAWRENCE AVENUE - Exeter police did run a speed control on St. Lawrence Avenue on two different occasions.

SPEED SENTRY SIGN - Mr. Daniels and Mayor Lubenow will be installing the speed sentry sign sometime within the next week. Mayor Lubenow would like to get some data from it before turning it on.

KEEP KIDS ALIVE DRIVE 25 - Mr. Simmons indicated that a lot of new people have moved onto Parkview Road and he would like to contact them about the Keep Kids Alive Drive 25 campaign. Ms. Leinbach indicated that the Borough Office could send post cards to all of the residents on Parkview as well as those on Elm and Patton informing them of this program.

BUDGET AND FINANCE - ALLISON LEINBACH

The cash flow documents were available for review.

STREETS & LIGHTS - JOAN ESHELMAN

ROCK SALT BID - Ms. Leinbach presented to Council the Rock salt bid from the Berks County Co-Op Purchasing Council. The low bidder was American Rock Salt at \$62.63 per ton. Ms. Leinbach indicated that she was looking for authorization to order 100 tons. **MOTION:** Dr. Ivison made the motion authorizing Ms. Leinbach to order 100 tons of rock salt; seconded by Mr. Simmons; all were in favor and the motion carried.

SANITARY SEWER - ALLISON LEINBACH

VIDEOTAPE - Ms. Leinbach indicated that she is still preparing the videotape to present to Mr. Conrad so that the bid specifications can be prepared for the repairs to the sanitary sewer system.

TRASH & RECYCLING - CARY G. WHITMAN

SKUNK PROBLEM - There has been several complaints received about the amount of skunks in the Borough. Council feels that some of the problem is that some residents are not placing their trash in a closed container. The new trash and recycling ordinance will address this and hopefully help to eliminate some of the problem.

RECREATION - DAVID EGGERT

PLAYGROUND - The playground is up and running, attendance and participation has been good. No problems.

LIGHTING AT THE PLAYGROUND - We are having some problem figuring out the lighting at the playground. The electrician will be coming out next week to re-label the panel and hopefully this will eliminate some of the problem.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

TOTAL VISIBILITY TAGS - The total visibility tags were distributed this evening. There were a few people who were not able to attend the meeting when EMA came out to take the photos. Mr. Eggert provided a list of places where those who did not get photos taken could go to have this done.

HOMELAND SECURITY - Mr. May indicated that he had forwarded some information to Ms. Leinbach about grants that were available. Mr. May indicated that he thought that perhaps we could try to get a grant for a generator for the Borough Hall. Ms. Leinbach will look over the information and determine whether or not we meet all the requirements to apply for the grant.

NEWSLETTER - ALLISON LEINBACH

The ordinance newsletter is about 75% finished and then we ran into some copier problems. The goal is to get the newsletter out as soon as possible.

LIBRARY LIAISON - MICHAEL BENNETHUM

Rev. Bennethum indicated that he will be attending the meeting next week and will report back at the August meeting.

BOROUGH MANAGER'S REPORT - ALLISON LEINBACH

The Borough Managers report was made available for Council to review. There were no questions.

NEW BUSINESS

APPOINTMENT OF A UCC FIRE CODE OFFICIAL - Ms. Leinbach told Council that she had a meeting with Mr. David Janiszewski and that he has agreed to be the UCC Fire Code official. Ms. Leinbach asked Council to appoint Mr. Janiszewski by Resolution, the Resolution will be 662-2008. **MOTION:** Mr. Eggert made the motion to adopt Resolution 662-2008 appointing Mr. David Janiszewski as the Borough's UCC Fire Code Official with the attached fee schedule; seconded by Mrs. Eshelman; all were in favor and the motion carried.

EMPLOYEE WAGES - Ms. Leinbach indicated that she made an error with regard to Mr. Daniels's salary. A new Resolution was prepared; Resolution 663-2008. **MOTION:** Mr. Eggert made the motion to adopt Resolution 663-2008 regard employee wages; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL COMMENTS TO COUNCIL

CLAMBAKE - Mrs. Eggert indicated the reservations were made for the clambake.

ADJOURNMENT: MOTION: Mr. Eggert made the motion for adjournment; seconded by Mrs. Eshelman; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 8:52 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, AUGUST 14, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice President
D. Michael Bennethum, Councilman
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons Jr., Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
Chad Lubas, Kozloff Stoudt
Joshua Kehs, Van Cleef Engineering
Warren Lubenow, Borough Mayor
Pamela Hilbert, Borough Resident
Kenneth Schnader, Forino Developers
William C. Daniels, Zoning/Code Enforcement Officer
Carole Duran, Reading Eagle

ABSENT:

Cary G. Whitman, Councilman

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May, at 7:30 PM.

APPROVAL OF THE MINUTES: The minutes of July 10, 2008, meeting were distributed to the members of Council for their review. **MOTION:** Mrs. Joan Eshelman made the motion to accept the minutes as presented; seconded by Mr. David Eggert; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council. **MOTION:** Mr. Eggert made the motion to accept the treasurer's report as presented; all were in favor and the motion carried.

GENERAL: \$206,888.01 **SEWER:** \$128,020.13 **LIQUID FUELS:** \$107,233.08 **CAPTIAL RESERVE:** \$83,107.67

APPROVAL AND PAYMENT OF THE BILLS: The list of bills presented for payment or ratification from the general and sewer funds were distributed to the members of Council for review. There were no questions. **MOTION:** Mr. Eggert made the motion approving the bills for payment and ratification as presented; seconded by Mrs. Eshelman; all were in favor and the motion carried. Bills presented for payment and ratification from the general fund totaled \$39,753.32; sewer fund \$15,822.59.

REPORT OF THE CODE ENFORCEMENT/ZONING OFFICER - WILLIAM C. DANIELS

KEEP KIDS ALIVE DRIVE 25 SIGN - The Keep Kids Alive Drive 25 sign sponsored by National Cleaners has been put back up on Parkview Road. The sign was blown over by the wind and is now on a larger cemented in the ground pole so this should no longer be a problem.

SPEED SENSORY - The speed sensory sign has been placed on St. Lawrence Avenue.

STORM DRAIN - The storm drain in front of Gary Wegman's office has been cleaned out.

REPORT OF THE BOROUGH SOLICITOR - CHAD LUBAS, KOZLOFF STOUTD

PROPERTY MAINTENANCE CODE - There are two resolutions being presented this evening for adoption which sets up the Board of Appeals and the second appointing the property maintenance code official. Resolution 666-2008 appoints a code official to enforce the Borough maintenance code and property maintenance code. The Resolution appoints Mr. William Daniels as the Borough Property Maintenance Code Official. **MOTION:** Mr. Eggert made the motion adopting Resolution 666-2008 appointing Mr. Daniels as the Borough Property Maintenance Code Official; seconded by Mr. James Simmons; all were in favor and the motion carried. **MOTION:** Dr. Ivison made the motion to adopt Resolution 667-2008 establishing Borough Council as the Board of Appeals for the International Property Maintenance Code as well as the Borough Property Maintenance Code; seconded by Mr. Eggert; all were in favor and the motion carried.

DEDICATION OF MACI WAY - Mr. Lubas indicated that he had a Resolution prepared for adoption for the dedication of Maci Way. Mr. Lubas asked if the Borough had the deed dedication; Ms. Leinbach indicated that she did not have that document; Mr. Schnader indicated that all of that was forwarded to Ms. London. Ms. Leinbach asked Mr. Schnader if the maintenance escrow has been setup yet; Mr. Schnader replied yes. Since the deed dedication description is in question Mr. Lubas indicated that the resolution could be voted on contingent upon the review of those documents or table the dedication until next month. Mr. Schnader indicated that it did not matter to Forino whether the Borough takes the street now or tables it until the September meeting however if the Borough does not take the street now no liquid fuels money will be received next year for Maci Way. There was a short discussion; Council decided that since the Borough would not receive a large sum of money in liquid fuels for Maci Way that they felt more comfortable tabling the dedication of Maci Way until next month. Mr. Kehs asked Mr. Schnader if he had also forwarded those documents to Spotts a few months ago and copied Van Cleef because he remembered seeing a similar document. Mr. Kehs asked Council if they would like Van Cleef to provide the review of that legal description to make sure that it includes the right of way area, etc. Council asked that Van Cleef provide that service; Mr. Schnader asked if Spotts has already provided that service; Ms. Leinbach indicated that she would check however they were not authorized by Council to do so.

REPORT OF THE BOROUGH ENGINEER - JOSHUA KEHS, VAN CLEEF ENGINEERING

PARKVIEW VILLAGE - Mr. Kehs indicated that he did a walk through on Monday, August 4, 2008 with Mr. Schnader and Mr. Weinstein from SSM. Mr. Kehs issued a letter pointing out the details of the walk through; Mr. Kehs went over his findings from a construction standpoint and recommended that the final wearing course could be placed once the portion of sidewalk that had not been poured was poured. Mr. Schnader asked if the Borough was pleased with the progression of the street lights. Mr. Kehs indicated that he has reviewed all of the paperwork with regard to the street lights and that that seems to be in order and is moving along nicely.

NEW REPRESENTATIVE - Mr. Kehs told Council that he is leaving Van Cleef Engineering at the end of the next week and has enjoyed his short time with the Borough. Mr. Kehs indicated that he has had a conversation with Ms. Leinbach and that there are a couple of options as far as a new Borough representative but that nothing needed to be decided tonight. Mr. Kehs told Council that Mr. Folk will be contacting Ms. Leinbach early next week to further discuss the matter. Council wished Mr. Kehs well and Council wished Mr. Kehs well in his new career opportunity.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

SPEED SENSORY - The speed sensory sign is up and running. The sign will be moved around the Borough in different locations but was put in front of Borough Hall to keep an eye on it initially.

NATIONAL NIGHT OUT - The National Night Out was successful and a lot of Keep Kids Alive Drive 25 signs were given out. There were approx 5,000 people who attended the event.

INCIDENT REPORT - The monthly incident report was handed out; there are a few incidents on the report that are not St. Lawrence and Mayor Lubenow indicated that he has already contacted the police department so that this can be corrected.

BUDGET & FINANCE - ALLISON LEINBACH

CASH FLOW DOCUMENTS - The cash flow documents were distributed to the members of Council for their review. There were no questions. We are currently doing well financially; Ms. Leinbach pointed out to Council that there has been an increase in real estate transfer tax however a decrease in interest.

BUDGET MEETINGS - Ms. Leinbach indicated that it is time to think about budget items for next year. At the September meeting budget meetings will be scheduled for October. Mr. May asked Mayor Lubenow whether or not he would like to purchase another speed sensory so that this can be placed as a budget item for next year.

STREET & LIGHTS - JOAN EHELMAN

STREET PROJECTS - Ms. Leinbach indicated that due to the anticipated sewer project the street projects will have to be put on hold for another year.

SANITARY SEWER - ALLISON LEINBACH

SEWER VIDEO - The videos have been forwarded to Mr. Conrad at SSM. Mr. Conrad is fairly confident that most of the work will be re-lining but there are some repairs needed that will require digging. There may be some problems with access to the area where repairs are needed. We may need to get into the backyards of some of the residents in order to get to the area requiring the work. Mr. May indicated that he feels that residents should be notified that the Borough will need to get into their backyards to access the sewer lines. We will be identifying all of the repairs that need to be done and a spread sheet will be prepared for the September meeting. At the present the flow meters have been taken out since we have received sufficient data and once the repairs have been made the flow meters will be placed back into operation.

TRASH & RECYCLING - CARY G. WHITMAN

HOLIDAY TRASH SCHEDULE - Mrs. Eggert contacted Eagle Disposal about trash pickup for Thanksgiving, Christmas and New Year's Day since they occur on a Thursday. Eagle Disposal would like to move the trash pickup for those days to the following Saturday instead of the next day as stipulated in the contract. Recycling will also be the Saturday after New Year's. This will be advertised in the newsletter and posted on the board outside. Mr. May indicated that he felt a postcard should be sent to the residents and that perhaps Eagle could pick up the cost of that mailing. **MOTION:** Mr. Eggert made the motion authorizing Eagle Disposal to do the trash pickup for the Thanksgiving, Christmas and New Year's holiday on the following Saturday; seconded by Mrs. Eshelman; all were in favor and the motion carried.

TRASH ORDINANCE DRAFT- Ms. Leinbach indicated that she will be working on another ordinance amending the original trash and recycling ordinance. The draft ordinance presented this evening is to set the fee per unit for trash pick up for multi unit properties. Any multi unit in excess of three or any business should be required to secure its own trash and recycling collector from a collector with all of the required permits. If they don't want to secure their own trash pickup they need to prove that they have the room to place all of the trash cans at the property. Ms. Leinbach indicated that she would like to change the recycling to limit the weight and not necessarily the container size. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the trash and recycling collection fee ordinance for multi-units pending final review with our current ordinance in terms of collector size and weight; seconded by Mrs. Eshelman; all were in favor and the motion carried.

RECREATION - DAVID EGGERT

PLAYGROUND - The playground program ended on August 8, 2008. The playground was very successful in part to the leaders and the age group of the playground attendees. Mr. Lubenow indicated that he has heard from one resident as to whether or not backboards would be placed again. The playground has been very quiet and clean and a lot of consideration will be taken into this matter and the action that will be taken as far as the backboards are concerned. Ms. Leinbach indicated that donations were received from two different families this year.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

EOP - We are still waiting to hear from the school district about their emergency operation plan for M L Lausch Elementary.

BOROUGH HALL - ALLSION LEINBACH

LIGHTING PROBLEM - There has been intermittent lighting problem at Borough Hall. The electrician has been called and work is being done to correct the problem.

MUNICIPAL LANDS - ALLISON LEINBACH

HUNTING ORDINANCE - Mayor Lubenow indicated that Ms. London has provided a copy of a sample ordinance with regard to hunting on our property. There was a lengthy discussion and a lot of consideration needs to be given to enforcement and posting. There was further discussion with regard to altering vehicles which is not allowed on state game lands. All hunting needs to be done on foot. Dr. Ivison indicated that he thought consideration needed to be given to the area and the range for the population that would be allowed. **MOTION:** Dr. Ivison made the motion authorizing Ms. Leinbach to order and post No Gunning signs in the woods; seconded by Mr. Eggert; all were in favor and the motion carried.

GYPSY MOTH SPRAYING - Mayor Lubenow indicated that tomorrow is the deadline to sign up for next year. Mayor Lubenow feels that we have enough acreage and number of people who signed up for the spraying that we should qualify for next year's spraying.

NEWSLETTER - ALLISON LEINBACH

The goal for the regular newsletter is to get it out by Labor Day weekend.

LIBRARY - MICHAEL BENNETHUM

Rev. Bennethum reported that the Exeter Library is the largest library in the county system outside of the City of Reading. They are planning a fundraiser for October and this will be advertised in the next newsletter.

UNFINISHED BUSINESS

RENTER'S/TENANT REGISTRATION - Ms. London and Ms. Leinbach are still working on this ordinance.

NEW BUSINESS

MUNICIPAL SERVICES TAX - This is up for discussion this year, so far the Borough has not enacted the tax. This tax may be used to offset the cost of emergency services. It has previously been discussed and the amount of money that could be brought in based on an estimate from Berks EIT would be around \$25,000. It was further discussed that an individual is only required to pay the tax once and not in every municipality that they may work. In addition if you make under the threshold required that there is a form that needs to be filled out and you will be exempt from this tax. Ms. Leinbach was instructed to contact Berks EIT to get a new estimated income from enacting the municipal services tax since it has been two years since the original estimate. Ms. Leinbach indicated to the Council that she requested this an agenda item because if Council decides to enact this tax that it will need to be advertised twice before adoption. Council decided to table this until more information could be received from Berks EIT.

GRAFFITI - A letter has been received from the graffiti and abatement coordinator. Ms. Leinbach will try to get more information on this matter and report back at the September meeting.

INCOMING & OUTGOING COMMUNICATIONS

RATS - Ms. Leinbach indicated that we did receive the draft RATS study from the county and the bridge over Antietam creek on St. Lawrence Avenue is listed as more engineering work in 2010 and actual construction in 2011. They have some right of way work that needs to be reviewed and more design work to be done. We do not own the bridge on St. Lawrence Avenue but the Borough does own the bridge over Antietam creek on Parkview Road. This bridge does get inspected every 2-3 years; the rating of the bridge has not changed drastically in the last few years.

PA DEP - Mr. May told Council that he sat in on a PA DEP work group called the solar work group. There is going to be a large amount of money that is going to be available for solar energy. The state is going to give grant money for about 60% of the cost for putting solar installation on a private home or small business. The issue right now is solar access and DEP has gotten involved because they don't want to be giving money to a system that within five years will lose access. Mr. May indicated that he felt that this may be something that the Borough could possibly get involved with and that when the state grant opportunities become available we should be ready. Council asked Ms. Leinbach to start looking into this so that the Borough could be ready when the money becomes available.

SIDEWALKS - Mayor Lubenow asked Council if they read the recent editorial in the Reading Eagle about sidewalks where St. Lawrence was mentioned as an area that has pedestrian traffic where there are no sidewalks.

ADJOURNMENT: MOTION: Mrs. Eshelman made the motion to adjourn; seconded by Mr. Eggert; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 9:08 PM.

Respectfully submitted,

Signed/Susan Eggert

Susan Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, SEPTEMBER 11, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice President
D. Michael Bennethum, Councilman
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
William C. Daniels, Code Enforcement/Zoning Officer
Joan London, Esq., Borough Solicitor – KS
Warren Lubenow, Borough Mayor
CJ Levan, Project Manager – Van Cleef Engineering
Derek Hicks, Reading Eagle
Norman Flamm, Borough Property Owner
Marilyn Gross, Borough Resident
Max Gross, Borough Resident

CALL TO ORDER: The regular business meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May, at 7:46 PM. This was followed by a public hearing regarding the adoption of Borough Ordinance #392 which is a new Borough zoning ordinance and creation of the Borough Center District.

APPROVAL OF THE MINUTES: Copies of the August 14, 2008 minutes were distributed to the members of Council for their review. There were no corrections, clarifications or additions to the minutes. **MOTION:** Mrs. Joan Eshelman made the motion to accept the minutes as presented; seconded by Mr. James Simmons; all were in favor and the motion carried.

TREASURER’S REPORT: The treasurer’s report was distributed to the members of Council for review. There were no questions or clarifications. **MOTION:** Mr. David Eggert made the motion to accept the treasurer’s report as presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL: \$181,992.32 **SEWER:** \$142,633.09 **LIQUID FUELS:** \$197,417.08 **CAPITAL RESERVE:** \$83,250.27

APPROVAL AND PAYMENT OF THE BILLS: A bill report was presented to Council for their review. Under the sewer bills, the bill is for Exeter Township which was left out. **MOTION:** Mr. Cary Whitman made the motion to pay and ratify the bills requiring payment; seconded by Mr. Eggert; all were in favor and the motion carried.

PUBLIC HEARINGS, PETITIONS:

MARILYN GROSS, 3606 St. Lawrence Avenue, Reading, PA 19606 – Mrs. Gross presented to Council about the apron curb at her property at 3606 St. Lawrence Avenue, which was repaired approx 10 years ago. This was repaired at the homeowners cost of approx \$1,400. Mrs. Gross told Council that the curb is now cracked because of all of the delivery trucks that use the driveway adjacent to her property to make deliveries to the business next door. She is requesting that reflector poles be placed to prevent delivery trucks from running over the curb and making it worse because Mrs. Gross feels that she should not have to pay to have this repaired again. Mrs. Gross also asked Council about trash pick up. She presented to Council a few months ago about commercial trash pick up. Mrs. Gross’s concern is with trash trucks coming by the side of her home which is 7 ft away from the driveway that would be used by the trucks; Mrs. Gross indicated that they really do not have that much trash at the business next door. In addition, Mrs. Gross has a concern about the air conditioning unit at the business next door to her home at 3606 St. Lawrence Avenue and the volume of noise created which is quite disturbing to her and her family. Mr. May indicated that we will have to go out to the business with a noise meter and determine whether or not they are in violation of the noise ordinance.

NORMAN FLAMM - Property Owner - Mr. Flamm owns the building at 3550 St. Lawrence Avenue. He had a tenant complain about almost being rear ended on St. Lawrence Avenue because of a yard sale that was going on across the street. Mr. Flamm indicated that there is a yard sale at this property every weekend and it seems like this may be more of a business than an actual yard sale. The people coming to the yard sale are also parking in his lot which leaves the tenants no place to park.

REPORT OF THE CODE ENFORCEMENT/ZONING OFFICER - WILLIAM C. DANIELS

SUBURBAN PETROLEUM PROPERTY - The trash has been cleaned up at this property. The Borough brought in a dumpster and the property owner was billed for the clean up.

BINGAMAN STREET BRIDGE - Mr. Daniels has cut the weeds at the Bingaman Street bridge that were sticking out in the roadway.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ - KOZLOFF STOUTD

ZONING ORDINANCE #392 - There was a public hearing held prior to the meeting as advertised. The newspaper advertisement referred to a vote being taken at the time of this meeting. Ms. London checked sections 609 and 610 of the MPC to make sure that the advertisements were compliant and Ms. London feels secure in taking a vote on the passage of Ordinance #392 at this time. Mr. Eggert asked Ms. London if he had to abstain from the vote because he is in the proposed Borough Center zoning district. Ms. London indicated that living in the district in of itself has no personal financial interest and therefore would not prevent him from voting under the ethics act, however, you may abstain from a vote at any time as long as you provide a reason.

MOTION: Mrs. Eshelman made the motion to adopt Ordinance #392 amending the current zoning ordinance and zoning map; seconded by Mr. Simmons; Mr. May, Rev. Bennethum, Mrs. Eshelman, Dr. Ivison, Mr. Simmons and Mr. Whitman voting in favor; Mr. Eggert abstained because he lives in the new Borough Center District; the motion carried.

CONDITIONAL USE HEARING FEE - Later in the meeting Ms. Leinbach asked Ms. London if we needed to have resolution setting the fee for a conditional use hearing which would go before Council per the new zoning ordinance. The fee to go before the Zoning Hearing Board is \$1,000 and Ms. London felt that the fee should be the same for a conditional use hearing.. This will be done by way of Resolution 669-2008. **MOTION:** Mr. Eggert made the motion to adopt Resolution 669-2008 setting a fee for a conditional use hearing at \$1,000; seconded by Mr. Whitman; all were in favor and the motion carried.

REPORT OF THE BOROUGH ENGINEER - CJ LEVAN, PROJECT MANAGER VAN CLEEF ENGINEERING

PARVIEW VILLAGE MACI WAY LEGAL DESCRIPTION - Mr. Levan stated that Van Cleef reviewed the legal description and the only comment made was that it was not dated and did not bear the signature and seal of the surveyor. Ms. London indicated that she will contact Mr. Schnader with this information. Mr. Levan indicated that when he reviewed the minutes he saw that Mr. Kehs indicated that Forino could go ahead and put on the wearing course. Since then he has been out to look at the paving and there are areas where the pavement was not properly placed and compacted and it may be something that needs to be fixed prior to taking dedication of the street. Mr. May stated that he drove by Maci Way and there were a few street lights that were not working. Mr. May also indicated that there are some outstanding invoices totaling \$2,004.83 which have not been paid by Forino and these will need to be paid as a condition for accepting the street. Council felt that the wearing course should be inspected again as well as making sure that all of the lights are working prior to accepting dedication of the street.

MOTION: Mrs. Eshelman made the motion to accept Maci Way for dedication with the provisions stated above; seconded by Mr. Eggert; all were in favor and the motion carried.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

The police report was not included in the packet; the report was e-mailed late this afternoon. This will be e-mailed to the members of Council for their review. The speed sensory sign is down and has been sent out for warranty repairs. Additional poles will be placed on Parkview Road and Elm Street so that data can be collected. It is also possible to use the sign as a school speed sign which will be done when the speed sensory sign is on Elm Street. Mrs. Eggert told Council and Mayor Lubenow that the Kid Keeps Alive Drive 25 post cards were sent out to the residents and the first sign was handed out today.

BUDGET & FINANCE - ALLISON LEINBACH/RON IVISON

BUDGET MEETINGS - Dr. Ivison provided some dates for budget meetings however Ms. Leinbach felt that they were a little bit early. Dr. Ivison will come up with some other days for October and Council members will be informed of the dates. The meetings will be advertised as public meetings so anyone wishing to attend may attend.

PLANNING COMMISSION - ALLISON LEINBACH

SALDO - The Planning Commission has reviewed the second half of the SALDO. Mr. Levan is now meshing the two documents together and will be presenting it to the Planning Commission in October. There will not be a September Planning Commission meeting for the lack of business.

SANITARY SEWER - ALLISON LEINBACH/ROBERT MAY

MANDARIN WOK - Ms. Leinbach told Council that Mandarin Wok is requesting forgiveness of a late charge of \$39.50 for their industrial surcharge bill. They paid the bill one day late because they claimed that they did not understand the bill. They also stated that she tried to come in to ask questions but the office was already closed. They have paid subsequent bills on time now because they understand the bill. There was a short discussion; Council decided to grant the forgiveness of the late charge this time but in the future this will not be done. Ms. Leinbach/ Mrs. Eggert was asked to send a letter indicating that forgiveness of the late charge has been granted by Council but that in the future all bills must be paid on time. **MOTION:** Rev. Bennethum made the motion to grant the forgiveness of the late charge of \$39.50 to Mandarin Wok; seconded by Mr. May; all were in favor and the motion carried.

MCCULLOUGH GROUP - Mr. May, Ms. Leinbach and Mr. Conrad from SSM met with the McCullough Group to work on getting a grant for the sewer rehabilitation project. There was a lengthy discussion; Mr. May explained what they can do to help the Borough get grant money for the upcoming sewer rehabilitation project. The fee charged by the McCullough Group for getting the grant money would be 21% for the first \$500,000 and 18% on money over that amount. If they don't get the Borough any grant money they don't get anything. No standard agreement was received as of yet. Ms. London was asked to contact them to get further information and a standard fee agreement to present to Council at the October meeting. Mayor Lubenow asked Mr. May whether or not the fee charged by the McCullough Group could come out of the grant money; Ms. London will look into the matter and report back in October.

TRASH & RECYCLING - CARY G. WHITMAN

TRASH & RECYCLING ORDINANCE - Ms. Leinbach would like to go back and revisit the trash and recycling ordinance now that we know how we want to handle multi-unit properties. The recycling grant for 2007 was just completed and the percentage of recycling was even less than last year at 16%. The Borough residents recycled 7 tons less in 2007 than in 2008. The state requirement is 35%. There was a length discussion on how to get the residents to actually recycle. We know that there are residents who are not recycling but we need to come up with enforcement measures. Ms. Leinbach asked Council how much enforcement of recycling would they like to see. Ms. Leinbach indicated that there municipalities who instruct their trash haulers to not take the trash if there is visible recycling. There is a multi-tenant use set up now therefore Ms. Leinbach felt that it was time to move forward on the new ordinance. A draft ordinance will be prepared for Council in October for probable adoption in November. Mr. Whitman asked whether or not we get recycling numbers from Eagle; a report is received every month. There were questions as to whether or not Eagle is picking up recycling in a recycling truck. Ms. Leinbach explained that the recycling truck looks like a trash truck but we receive receipts from the recycler each month.

SKUNK PROBLEM: There has been an issue with skunks in the Borough which is felt to be related to the fact that some residents are not storing their trash in containers. In fact, Ms. Leinbach indicated that she had received a call from a resident today that his trash bag was torn open by an animal and that the trash haulers didn't clean it up to which Ms. Leinbach told the resident that that is not in the trash contract. Mr. Simmons indicated that he had spoken to the trash haulers about the use of trash receptacles by the residents and the trash haulers indicated that about 50% of the residents are not using trash receptacles. This issue will be addressed in the trash ordinance.

RECREATION - DAVID EGGERT

RESOLUTION 668-2008 - Resolution 668-2008 setting the Halloween curfew and trick or treat nights was presented to Council for review and adoption. This resolution is identical to the one that Exeter will be adopting therefore making it easier for the police department to enforce. **MOTION:** Mr. Eggert made the motion to adopt Resolution 668-2008 setting the trick or treat nights and Halloween curfew; seconded by Mr. Whitman; all were in favor and the motion carried.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT J MAY

EMERGENCY GENERATOR - Ms. Leinbach indicated that she is working on pricing for an emergency generator. This should be available next month. This will be multi-tiered because we are looking at a unit that will be big enough to handle adding to the electric panel that would be currently serviced by the manual, natural gas fire generator with an automatic switch. The breaker panel that it would service right now does not include all of the emergency lighting or the alarm system. Ms. Leinbach indicated that the generator that she is looking at is in the \$7500 range for the generator, \$1,000 for the switch, and the electrician would be around \$1,000 to rerun wire and move service breaker panel boxes which probably should be moved anyway to be more centrally relocate to the essential services for the building. There will be a pad poured in the back for the generator.

BOROUGH HALL - ALLISON LEINBACH

POS of A ROOM - Mr. Whitman asked when the ceiling in the POS of A room would be repaired. Ms. Leinbach indicated that probably some time this winter.

WINDOWS - Ms. Leinbach is working on getting pricing for replacement windows. Mr. Daniels knows a few carpenters that are looking for work to come give an estimate. The Women's Club will be donating \$1000 toward the windows for the Women's Club room. Ms. Leinbach indicated that there are a few things with the exterior of the building that need to be addressed first before windows.

ST. LAWRENCE BOROUGH COUNCIL

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BRICK WORK - Ms. Leinbach indicated that she has found some bricks that are loose on the building. Mr. Dane Clay who has done work on the building in the past and knows the building quite well has given two quotes for the work that needs to be done; one for \$3950 and the other for \$3550. Mr. Clay will prioritize what needs to be done first and start as soon as Ms. Leinbach gives him the go ahead. Ms. London indicated that this falls under professional services and therefore she does not feel that there should be a problem with the quotes. **MOTION:** Mr. Whitman made the motion authorizing Ms. Leinbach to have Mr. Clay start the work on the building as soon as possible; seconded by Mr. Simmons; all were in favor and the motion carried.

SOLAR WORK GROUP - Mr. May indicated that he has been asked to attend the solar work group where DEP will have grant money available for solar panels. Mr. May asked Council if they would be interested in having solar panels placed on the Borough Roof and possibly the roof of the pavilion at the playground. Mr. May indicated that we would get more than needed in solar for the operation of the building however the Borough pays for all of the street lighting which could reduce the bill.

INSURANCE - ALLISON LEINBACH

PUBLIC OFFICIALS BOND - The carrier of this bond has changed. The renewal bill came and the bond cost was almost \$900. Ms. Leinbach indicated that she went looking at other companies and found it for \$400. This company is also going to do a total review of our insurance.

NEWSLETTER - ALLISON LEINBACH

The last article of the newsletter is being worked on and should be out to the residents by the end of next week.

BOROUGH MANAGER'S REPORT - ALLISON LEINBACH

The report was available for review.

UNFINISHED BUSINESS

RENTER AND TENANT REGISTRATION - There is nothing new to report on this and Ms. London has samples to show next month.

MUNICIPAL SERVICES TAX - Ms. Leinbach indicated that she had contacted Berks EIT and the amount that the Borough would receive from this would be \$23,300 based off of what was taken in last year. Ms. Leinbach explained that this can be used for emergency services i.e. police services. If Council decides to enact this it would need to be ready for Council next month; the amount of \$23,300 would cover 16% of the police services. There was a short discussion about the pros and cons of enacting this tax. In conclusion, it was determined that if this tax is enacted it could possibly but not definitely avoid a real estate tax increase.

MOTION: Mr. Eggert made the motion to enact the municipal services tax at a rate of \$42; seconded by Mr. Whitman; Mr. Eggert, Mr. Whitman, Mr. Simmons, Rev. Bennethum, Dr. Ivison and Mrs. Eshelman all voting in favor; Nays: Mr. May; the motion carried. This will be Ordinance 393; Ms. London will be handling all of the details.

NEW BUSINESS

SALARY FOR ELECTED OFFICIALS - Mayor Lubenow will be up for election in 2010. Mr. Lubenow is proposing that the Mayor's salary be reduced to that of council members. There was a discussion; explanation of why the Mayor's salary was increased was given by Mr. May. **MOTION:** Mr. Eggert made the motion to keep the salaries of Council Members and the tax collector be kept the same and to reduce the Mayor's salary to that of all Council members which is \$500 annually; seconded by Mrs. Eshelman; all were in favor and the motion carried. This will be Ordinance 394; Ms. London will handle the details.

WOLFE, DYE & BLEACH PROPERTY - Mr. Simmons told Council that a number of the private property signs have been torn down and vandalism continues to be an issue. There was a short discussion about the deterioration of the building. Ms. London suggested trying to get Wolfe, Dye & Bleach to attend the next meeting with a plan on how they are going to secure the building. It was Council's decision that this building has become a public nuisance. **MOTION:** Mr. Whitman made the motion authorizing Ms. Leinbach to have someone go out and secure the building and all structures and make the property safe and bill Wolfe, Dye & Bleach for the work; seconded by Mrs. Eshelman; all were in favor and the motion carried.

SUBURBAN PETROLEUM - Ms. Leinbach indicated that we need to find out if the property is sold at sheriff sale which is scheduled for September 24, 2008. It was Council's decision to file property maintenance code violations. **MOTION:** Mr. Whitman made the motion authorizing the Solicitor to take judicial action to enforce the property maintenance code with the intent of getting the judicial system to agree with our intent that the building needs to be repaired to such a point or demolished; seconded by Mr. Simmons; all were in favor and the motion carried.

ADJOURNMENT: MOTION: Mr. Whitman made the motion to adjourn; seconded by Mr. Simmons; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 9:46 PM.

Respectfully submitted,

Susan D. Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, OCTOBER 9, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice-President
D. Michael Bennethum, Councilman
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
William C. Daniels, Code Enforcement/Zoning Officer
CJ Levan, Project Manager Van Cleef Engineering
Joan London, Esq., Kozloff Stoudt – Borough Solicitor
Warren Lubenow, Borough Mayor
Karyn Feick, Reading Eagle
Pamela Hilbert, Borough Resident

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Robert J. May, Council President at 7:31 PM.

APPROVAL OF THE MINUTES: The minutes of the September 11, 2008 meeting were distributed to members of Council for review. There were no questions or corrections. **MOTION:** Mrs. Joan Eshelman made the motion to accept the minutes as presented; seconded by Mr. David Eggert; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council for their review. All questions were answered. **MOTION:** Mr. Eggert made the motion to accept the treasurer's report as presented; seconded by Mr. Cary Whitman; all were in favor and the motion carried.

GENERAL: \$168,736.54 **SEWER:** \$146,553.03 **LIQUID FUELS:** \$107,567.42 **CAPITAL RESERVE:** \$83,366.79

APPROVAL AND PAYMENT OF THE BILLS: A list of the bills requiring payment and ratification were presented to Council. Ms. Leinbach indicated that the sewer bills included a payment to Exeter for sewer processing and semi-annual debt services payment totaling \$54,663.98. The total amount of bills presented for payment and ratification from the general fund was \$42,964.57; sewer fund \$79,412.58. **MOTION:** Mr. David Eggert made the motion authorizing payment and ratification for all bills presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE CODE ENFORCEMENT/ZONING OFFICER: Mr. Daniels reported the speed sentry is back up and operating out in front of Borough Hall. Ms. Leinbach explained the speed sentry report that was presented to Council for review. This report was gone over and reviewed in detail. The maximum speed recorded on St. Lawrence Avenue was 69 MPH.

REPORT OF THE BOROUGH SOLICITOR – JOAN LONDON, ESQ – KOZLOFF STOUDT

ORDINANCE #393 - Ms. London indicated that this ordinance was advertised for adoption in the Reading Eagle on 9/20, 9/25 and 10/2. This ordinance indicates Council's desire to enact a Municipal Services Tax in the amount of \$52.00. This tax is collected by employers from its employees who work in the Borough. Berks EIT will be the tax collector. **MOTION:** Mrs. Eshelman made the motion to adopt ordinance #393 enacting a municipal services tax; seconded by Mr. James Simmons; Mr. Eggert, Mrs. Eshelman, Rev. Bennethum and Mr. Simmons voting in favor; Mr. Robert May, Mr. Whitman and Dr. Ivison opposing. The motion carried with a 4-3 vote. Ms. London indicated that accompanying this ordinance she has a resolution naming Berks Earned Income Tax Bureau as the collector of the tax at a compensation rate not to exceed 2.5% of the tax collected which works out to \$550.00. **MOTION:** Mr. Eggert made the motion to adopt Resolution 670-2008 naming Berks EIT as the tax agent for the municipal services tax enacted by ordinance #393; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ORDINANCE #394 - This ordinance would set the compensation at \$500 per year with the change in compensation to commence on the first day of the new term of the Mayor which would be January 4, 2010 which is the day that the Borough would reorganize in 2010 and the new term for the Mayor would start. This also provides that the Mayor will receive the same compensation as members of Borough Council. Ms. London indicated that in the event that the President and Vice President of Council would at any time be paid more than other members of Council this ordinance would have to be revisited as the compensation of the Mayor is tied to Council members and Borough Code indicates that the Mayor can not be compensated less than any Council member. **MOTION:** Mr. Eggert made the motion to adopt Ordinance #394 which sets the compensation for the Mayor starting in the year 2010 to \$500 which is the same compensation as all Council members; seconded by Mr. Whitman; all were in favor and the motion carried.

TRASH & RECYCLING ORDINANCE – Ms. London indicated that she gave a draft trash and recycling ordinance to Ms. Leinbach for review and Council’s review, this should be considered for the November meeting. Ms. Leinbach was asked to get Council copies of this ordinance once she has reviewed it.

PARKVIEW VILLAGE - With regard to the dedication of Maci Way, there are two minor items outstanding including payment of review fee bill and construction observation bill and also one street light that is not working. Forino has been notified of that that needs to be taken care before the deed of dedication can be recorded and the resolution passed. We do have the signed deed of dedication but that does need to be addressed before that can be recorded.

FISHER PROPERTY - Ms. London gave an update on the Fisher property and the parking situation. A letter was sent to Mr. Jay Fisher, the owner of the property, requesting some clarifications regarding the availability of parking for proposed businesses on the site.

SUBURBAN PETROLEUM/WOLFE, DYE & BLEACH - Letters were sent to both of these property owners asking that they contact us or further enforcement action would be taken. We are currently working with Wolfe, Dye & Bleach on their Parkview Road property.

REPORT OF THE BOROUGH ENGINEER - CJ LEVAN, VAN CLEEF ENGINEERING

MACI WAY - Mr. Levan told Council that they went out and revisited the wearing course and it looks like they have made the improvements to the wearing course and they are fine with the work that was done.

ANTIETAM VALLEY SHOPPING CENTER - The shopping center cleared the hillside of all vegetation. The Conservation District was notified and they have looked at it and basically said that if we get a heavy rain there could be a huge disturbance. Their recommendation is to mulch the area or get some vegetation back in there. Ms. Leinbach indicated that she had contacted Kevin Cannon, the manager of the shopping center, and they are planning to hydro-seed the area.

FORINO LETTER OF CREDIT FOR RELEASE FROM ESCROW # 9 - This application was reviewed by SSM; the amount requested for release is \$18,521.38. SSM has found this to be in order and recommends the release of funds from escrow. **MOTION:** Mr. Eggert made the motion authorizing release of \$18,521.38 from the Forino escrow for Parkview Village; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF BOROUGH MAYOR - WARREN LUBENOW

INCIDENT REPORT - The police report was made available for Council’s review. Mayor Lubenow indicated that the police did a speed trap on St. Lawrence Avenue and in an hour and a half they only issued two tickets and that they are finding that this is the case on 422 and all around traffic has slowed down. One year ago they were stopping cars and issuing tickets as soon as they got one ticket done they were onto the next. Mr. May asked if they could perhaps get a car count; Ms. Leinbach will look into the matter as well as Mayor Lubenow. Mr. Simmons asked if any speed traps were going to be done on Parkview; Mayor Lubenow indicated that the police department said that they did not forget but haven’t had the chance. Mr. Simmons indicated that the neighbors there are quite concerned about the speeding.

FOREIGN FIRE INSURANCE - Ms. Leinbach indicated that the Foreign Fire Insurance money has been received and needs to be distributed. The amount of the check received was \$12,090.58. Mr. May asked if Exeter Township formed an Exeter Township Fire Department and if they are now under the jurisdiction of the township Supervisors. Mr. Eggert indicated that it was his understanding that this is a volunteer fire company. They have recently made available applications for volunteer chief officers and then once those are in place they are going to have applications for volunteer line officers at each company and eventually there is talk about a third station in the township. Long term this could be a transition toward a paid department but currently this is a volunteer company and not a department of Exeter Township. Last year’s distribution was 60% Mt. Penn; 40% Reiffon. There was a discussion about the distribution of the funds; Mr. Eggert abstained from any discussion because of his affiliation with Mt. Penn Fire Company as an officer. **MOTION:** Mr. Whitman made the motion to distribute the money in the same fashion as last year which was 60% Mt. Penn and 40% Reiffon; seconded by Mrs. Eshelman; all were in favor and the motion carried. Mr. Eggert abstained because of his affiliation with Mt. Penn Fire Company.

MT. PENN FIRE CHIEF'S REPORT - The Mt. Penn Fire Company's Chief Report was made available for review.

BUDGET & FINANCE - RONALD IVISON

OCT 20 & 27- Budget meetings are set for 10/20 and 10/27. Ms. Leinbach and Mrs. Eggert were already authorized to advertise the meetings however Mrs. Eggert was looking for approval of the dates. Advertising will be done; the meetings will begin at 7:30 PM.

STREETS & LIGHTS - JOAN ESHELMAN

SIDEWALKS - Ms. Leinbach indicated that she had sent a letter off to District 5 Penn DOT head of engineering expressing our concern about sidewalks on either side of the bridge and that when the final design is done for the bridge over Antietam Creek that it include sidewalks on both sides which at this point of its life it did not have. The design right now has the same as what currently exists. The design has not gone that far yet and they have responded that they acknowledge our concern that it have pedestrian legitimate access on both sides.

TRAFFIC LIGHTS - Mayor Lubenow indicated that there was an accident on St. Lawrence Avenue which wiped out one of our traffic lights. The fire police were there directing traffic as they were removing the damaged pole and getting a temporary one up; Mayor Lubenow did go down and expressed appreciation on behalf of the Borough to the volunteers for their effort and the hours that they were putting in directing traffic. Ms. Leinbach asked Mayor Lubenow if he could find out how much money the fire police get or if there is a budget for the fire police whether they are included in Exeter's police budget or not. Ms. Leinbach indicated that she knows that they will be asking the Borough for a contribution and it would be nice to know how much of what we are paying is already being used as part of the police budget.

SANITARY SEWER - ALLISON LEINBACH

SEWER REHABILITATION - Ms. Leinbach indicated that she received an estimate from Mr. Conrad for the portions of the rehab project that we talked about doing immediately which was relining of the sanitary sewer line from Lynn Avenue down to the meter pit at the creek which is the whole run in the open area which has some significance in the amount that is going there, the unknown where it goes lateral on Bingaman Street which is a dig up to close off the line; this line is across from the Arbor Inn and some spot repairs along the Bingaman Street line to a total of somewhere around \$150,000-\$160,000. It has been estimated that if we do these repairs it was calculated eliminating something around a cost of \$80,000 a year in fees based off the reduction of gallons that we would stop coming in. Ms. Leinbach indicated that Mr. Conrad was looking for authorization to go ahead with the bid package to put the bid out and we will use a lot of electronic copies of documents vs. paper. Ms. Leinbach indicated that the engineering fees to put this together look to be somewhere around \$2000 and as we did the last time we will go ahead and put the bid package together, we do all of the contract work and go through Ms. London to take care of that but they asked that there definitely is construction observation by the engineers included in that for some of the trickier portions of what is being done. Ms. Leinbach indicated that is important to move forward with this because the best time to get into the open area to do the relining is in the wintertime because trucks were stuck there last year during the summer. **MOTION:** Mr. Eggert made the motion authorizing Spotts, Stevens & McCoy to proceed with the bid preparation and information for the above items of the sewer rehabilitation; seconded by Mrs. Eshelman; all were in favor and the motion carried.

TRASH & RECYCLING - CARY G. WHITMAN

Ms. Leinbach is going to be reviewing the trash & recycling ordinance. There has been a few problems over the last month with the timing of trash pick up. Ms. Leinbach has been in contact with Eagle Disposal and has been assured that they will not reoccur. People have been having trash missed and Mr. Daniels has been picking it up and putting it in our dumpster.

RECREATION - DAVID EGGERT

We have done some preordering of arts & crafts because it was on 25% off and free shipping. The playground is closed except for the bathrooms which we will have the plumbing inspector closed but otherwise we are wrapped up and everything has been cleaned out which could be harmed by any moisture.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT J MAY

GENERATOR PROPOSAL - Mr. May indicated that over the last 4 years we have been pricing out a generator for the Borough Hall. We currently have a government surplus generator that is on wheels which should work if we had to power the building. The proposal received is a natural gas generator which can be hooked up to the natural gas line. The cost of the generator with an aluminum housing is approx \$8420, auto switch is \$1053 and we need to do approx \$1000 of electrical work which includes installing the switch. There was a short discussion about the need for a generator and the benefits of having a generator. The total cost would be approx \$11,000. Dr. Iverson asked if this was mandated and Mr. May indicated that it is not mandated but there are requirements that need to be met through the emergency operations plan. **MOTION:** Mr. Eggert made the motion authorizing the purchase of a generator, installation using our normal plumbing guy and electrical guys for total expenditures of \$11,000 including about \$8400 for the generator itself; seconded by Mr. Whitman; all were in favor and the motion carried.

ZONING HEARING BOARD - ALLISON LEINBACH

ALTERNATE TO THE ZONING HEARING BOARD - Mr. May indicated that he felt that Council should appoint an alternate to the zoning hearing board in case of availability. When interviewing for Council two years ago Mr. Michael Fritz who was an applicant interviewed for the Council position and was an alternate choice for that position was contacted and is willing to fill that position. **MOTION:** Mr. Whitman made the motion to appoint Mr. Michael Fritz as an alternate to the zoning hearing board; seconded by Mr. Eggert; all were in favor and the motion carried.

ZONING ORDINANCES - New zoning ordinances have been delivered to the zoning hearing board members along with a letter indicating that since they have not met for a while and there has since been a new member appointed that they want to meet. There is no chairman and should at least meet to elect a chairman. Whenever educational seminars come up for zoning hearing board members this is forwarded to the members.

BOROUGH HALL - ALLISON LEINBACH

BRICK WORK - The brick work has been completed, the work up in the attic was fairly significant and there were two change orders with what was done.

AIR CONDITIONERS - The POS of A will be informed that their air conditioners need to be removed since the heat is now kicking on overnight. Ms. Leinbach indicated that we have saved a lot on fuel oil over the last year since the heat gets turned back at 2 o'clock. We have looked into central air and replacing the heating system with gas but at this time it would not be cost effective.

WINDOWS - Ms. Leinbach is currently looking into replacement windows. We are waiting on the carpenter to come out and give an estimate for installing the windows. No work will be started prior to election day.

MUNICIPAL LANDS - ALLISON LEINBACH

HUNTING SIGNAGE - Mayor Lubenow indicated that he had called DCNR about signage. He indicated that he was hiking down at Monocacy and they have signs that state No gunning by order of Amity Township. Council does want to allow archery but no gunning. We have purchased heavy laminated paper to make the signs. There was a lengthy discussion about enforcement and preservation of the land. Mayor Lubenow and Dr. Iverson will report back to Council on areas of the woods that they feel altering vehicles should not be allowed. Mayor Lubenow indicated that he would like to host walks through the woods type tours. This will be advertised in the newsletter in the spring. There was a discussion about keeping the fire lanes open. Mr. Eggert will contact Thomas Kemery to see if he can give us an idea of where we should have fire lanes through the woods.

INSURANCE - ALLISON LEINBACH

Waiting for the quotes from other companies.

NEWSLETTER - ALLISON LEINBACH

The newsletter just went out a few weeks ago. The article about the walk through the woods with the Mayor will be in the next two newsletters. The newsletter with the winter information has been outlined.

LIBRARY LIAISON - D. MICHAEL BENNETHUM

The library is planning an antique auction on October 18 which was advertised in the newsletter as well as a schedule of the activities that take place at the library. They are currently working on the budget for next year; they are anticipating no increase in their request for funds. Dr. Iverson asked if the library has any themes and do they advertise this at all i.e. financial industry and what books are recommended to better educate the general public. Rev. Bennethum indicated that he would bring this up at their next meeting.

UNFINISHED BUSINESS

WOLFE, DYE & BLEACH - Mr. May indicated that he would like to go into executive session to discuss possible litigation.
TENANT & LANDLORD REGISTRATION - Ms. Leinbach indicated that she would like to move ahead with the registration for commercial and residential property owners as an ordinance as step one and not go right into the property inspections so that something can be established prior to the first of the year before we tackle the inspection process. Ms. Leinbach would like to have the names of adults over 18 years of age be listed on the registration application as well. **MOTION:** Mr. Eggert made the motion authorizing the Borough Solicitor and Borough Manager to work on advertisement of a tenant and landlord commercial and residential registration; seconded by Mrs. Eshelman; all were in favor and the motion carried. The final review will be done at the next meeting and amended if needed. Once the final review is done by Ms. Leinbach and Ms. London this will be distributed to members of Council.

INCOMING & OUTGOING COMMUNICATIONS

INVITATION TO THE FALL DINNER - Invitations were distributed to members of Council; all reservations are needed by October 17, 2008.

MUNICIPAL LAW FORUM - An invitation to this event co-hosted by Kozloff Stoudt was received; the forum is October 24. Anyone interested in attending needs to RSVP.

EXECUTIVE SESSION - MOTION: Mr. Eggert made the motion to go into executive session to discuss possible litigation with Wolfe, Dye & Bleach; seconded by Mrs. Eshelman; all were in favor and the motion carried. Borough Council moved into executive session at 8:50 PM. Council moved out of executive session at approx 9:15 PM. Mr. May proposed that we have inspections done with regard to fire code, building code and structural code on two properties within the Borough; Wolfe, Dye & Bleach and Suburban Petroleum. Council is asking that these property owners live up to their responsibilities under the building and maintenance property code. Mr. Daniels indicated that the Suburban Petroleum property was already inspected by a structural engineer however Mr. May would like to have it looked at again to make sure that it has not gotten worse. **MOTION:** Mr. Eggert mad the motion to have a fire code inspection, building inspection and structural engineering inspection done on the Wolfe, Dye & Bleach building and the Suburban Petroleum building; seconded by Mr. Whitman; all were in favor and the motion carried.

ADJOURNMENT: MOTION: Mr. Eggert made the motion to adjourn; seconded by Mr. Whitman; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 9:23 PM.

Respectfully submitted,

Susan D. Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, NOVEMBER 13, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice-President
Joan Eshelman, Councilwoman
Ronald Ivison, Councilman
James G. Simmons Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
William C. Daniels, Code Enforcement/Zoning Officer
CJ Levan, Van Cleef Engineering
Joan London, Esq., Kozloff Stoudt – Borough Solicitor
Warren Lubenow, Borough Mayor
James Hennessey, Resident

ABSENT:

D. Michael Bennethum, Councilman

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May at 7:30 PM.

APPROVAL OF THE MINUTES: The minutes of the October 9, 2008 meeting were distributed to the members of Council prior to the meeting for review. There were no questions or corrections. **MOTION:** Mr. David Eggert made the motion to approve the minutes as presented; seconded by Mrs. Joan Eshelman; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council prior to the meeting for review. Ms. Leinbach indicated that the report could be approved as presented and placed for audit. There were no questions. **MOTION:** Mr. Eggert made the motion to accept the treasurer's report as presented; seconded by Mr. Cary Whitman; all were in favor and the motion carried.

GENERAL: \$151,728.55 **SEWER:** \$146,553.20 **LIQUID FUELS:** \$107,665.64 **CAPITAL RESERVE:** \$83,442.91

APPROVAL AND PAYMENT OF THE BILLS: Ms. Leinbach indicated that there are two additions to the list of the bills presented for payment and ratification. There is a bill for the deed research that was done for the former Borough Hall in the amount of \$190.00. There is also a bill for Telco who did work as a result of an automobile accident; the Borough was billed however there was a check cut from the insurance company and expected early next week. The Borough was billed for the work and authorization for payment is needed once the money is received from the insurance company in the amount of \$12,242.67. The total bills to be paid from the general fund would be \$57,687.08. Bills to be paid from the sewer fund total \$3,596.12. The installation of the transfer switch cost approx \$400 more than originally quoted because the whole panel needed to be replaced. All circuits are now tied into one box so if the generator kicks in the elevator needs to be turned off with the key so that the generator does not overload. Mr. Eggert asked Ms. Leinbach to look into whether or not a relay box could be installed that would trip the breaker to the elevator automatically. **MOTION:** Mr. Eggert made the motion authorizing payment of the bills and ratification of the bills presented as well as payment of the two additional bills discussed; seconded by Mrs. Eshelman; all were in favor the motion carried.

REPORT OF THE CODE ENFORCEMENT/ZONING OFFICER - WILLIAM C. DANIELS

3001 PERKIOMEN AVENUE - There was a stop work order issued for the property at 3001 Perkiomen Avenue because they exceeded the amount of work approved on their permit by disturbing the earth which resulted in the hitting of a gas line which closed down the Hess Gas Station. In addition, they hit a telephone line and a water gate valve. The following day there was a discussion and it was decided to let them proceed with the work approved on the original permit and the rest would be left up to the Conservation District and our engineers. The owners still claim that they were not doing any excavation that they were just cleaning up the property. In addition, PA One Call will be contacted because apparently they placed no PA One Call and UGI did not place a PA One Call when repairing their gas line and the Borough has a main sewer line that goes through that property.

SUBURBAN PETROLEUM/WOLFE, DYE & BLEACH INSPECTIONS: We did a site inspections on 10/17/08 on both of these buildings and have just received structural inspection reports from Spotts; Ms. London will review. Wolfe, Dye & Bleach has applied for a demolition permit and are attempting to seal up the property better than previous. These are both ongoing issues and are being dealt with as best possible. Letters were sent to the property owners, fire marshal reports have been received and the UCC Building inspector report is pending.

SERVICE ELECTRIC - We have an ongoing problem with Service Electric and the work that was done on Levan Street. The contractors who worked in the right of way did some damage that was not properly repaired causing the curb to shift and a little bit of a sink hole has developed in the right of way. Ms. Leinbach was able to track down the man from Service Electric after several attempts and the issues are being dealt with at this time. Ms. Leinbach indicated that she recommends that we increase the fee of a street opening permit because if Service Electric had not made good on the repairs needed the street opening permit fee would not have covered the cost of the repairs. Mr. May asked Mrs. Eggert to bring this up at the beginning of next year so that a new fee can be set for the year.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON

TENANT REGISTRATION ORDINANCE - This item was tabled until next month.

TRASH & RECYCLING ORDINANCE - This is still under review; tabled until next month.

REPORT OF THE BOROUGH ENGINEER - CJ LEVAN, PROJECT MANAGER

3001 PERKIOMEN AVENUE - Mr. Levan indicated that they were making adjustments to the access points which is under state jurisdiction. Penn DOT would need to be contacted; they were attempting to close down the one access directly behind the building and relocate the entrance around the back to where the entrance was for the mobile homes. Ms. Leinbach indicated that she had spoken to the project manager for this project and Ms. Leinbach indicated that she told him that he needed to contact Penn DOT about changing the access. The contractor was also contacted that they need to stabilize the site; the Conservation District was also contacted and their inspection is pending.

GREEMAN PEDERSON - They have contacted Van Cleef about utilities and existing utilities along St. Lawrence Avenue since they are going to be replacing the bridge. They have also contacted Ms. Leinbach about sewer lines. Mr. May asked that the Borough office check with Mr. Hartwich who actually mapped out this area and see if he would be interested in working over his Christmas break this year.

SALDO - Mr. Levan indicated that he has a copy of the SALDO which is 90% complete at this time. Mr. Levan indicated that some time over the next week or so he will deliver a copy of this ordinance so that this can be distributed to the members of Planning Commission as well as Council for review. Unfortunately this project is way over budget at this point and is quite close to the original estimate of \$15,000; the project was a lot more complicated than originally anticipated.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

POLICE REPORT- The police report was distributed to the members of Council for review. This report was reviewed. Mayor Lubenow indicated that he had spoken to Ms. Davis, the office manager of the police department, about burglar alarms and whether or not they fine for excessive alarms. They replied that they do not do it for St. Lawrence and that they are behind on the billing for Exeter however she would like to discuss this with the Borough and how the billing could be handled. Ms. Leinbach indicated that she had thanked Ms. Davis for filling out a report of police calls for the researcher from Penn State. We will ask the police department for a separate report with the break out of alarm calls with the actual address and determine how the billing could be done. Ms. Leinbach indicated that she would like to revisit the alarm ordinance and change this a little bit in order to be able to get updated information annually.

ILLEGAL PARKING - Mayor Lubenow indicated that a soft approach has been taken in the past. Several complaints have been made about illegal parking and Mayor Lubenow was directed to ask the police to begin taking a harsher approach.

FIRE POLICE - Mayor Lubenow indicated that he investigated whether or not the fire police were included in the police budget. Mayor Lubenow indicated that this is a separate item and if money was to be delegated to the fire police it would actually go directly to the township to be put into the account for the fire police.

BUDGET & FINANCE - ALLISON LEINBACH

PROPOSED BUDGET 2009 - The budget was distributed to all members of Council for review a few days prior to the meeting. The budget was reviewed in detail; new line items can be added if requested. Under recreation, speakers was discussed and Mr. May indicated that he believes that new speakers can be ordered and the casing can be used; also mulch needs to be added as a line item. **MOTION:** Mr. Eggert made the motion approving the proposed 2009 budget for the general fund to be advertised and posted on the building for review; seconded by Mrs. Eshelman; all were in favor and the motion carried. The sewer and liquid fuels proposed budget for 2009 was also reviewed in detail. If the oil prices stay low perhaps a street project will be put together for next year. **MOTION:** Mr. Eggert made the motion to advertise and post the proposed 2009 sewer and liquid fuels budget; seconded by Mr. Whitman; all were in favor and the motion carried.

SEWER RATE CHANGE - The basic recommendation is for a modest rate change by dropping the \$30.00 for the first 2,000 gallons and \$5.90 for each additional to \$30.00 for the first 1,000 gallons. This was tabled for further information to be gathered.

ORDINANCE 395 TAX MILLAGE RATE - Council decided to keep the millage rate at 3.84 which is \$384 on \$100,000 home. **MOTION:** Mr. Eggert made the motion to set the Borough's millage rate at 3.84 mills and authorization to advertise the ordinance; seconded by Mr. Whitman; all were in favor and the motion carried.

TAX COLLECTOR AUDIT 2007 - The tax collector audit was made available for Council's review. This was reviewed and the same issue of segregation of duties was mentioned as well GASB accounting. All questions were answered.

CONTRIBUTIONS 2008 - A list of the contributions given in 2007 were distributed to the members of Council for review. Council will review and contributions will be made at the December meeting.

STREETS & LIGHTS - JOAN ESHELMAN

LEVAN STREET LIGHT - Met Ed checked the light on Levan Street. Met Ed indicated that there is power to it and because the Borough owns the light it is the Borough's responsibility to fix it at this time.

PLANNING COMMISSION - ALLISON LEINBACH

There will be no meeting in November. The SALDO will be reviewed by the Commission at the December meeting.

SEWER - ALLISON LEINBACH/ROBERT MAY

Mr. May indicated that he would like to go into executive session at the end of the meeting to discuss possible projects and litigation.

TRASH & RECYCLING - CARY WHITMAN

There were a few issues with the timeframe of trash collection but that has been worked out.

LEAF COLLECTION - Leaf collection has started. We have not picked up any plastic bags. Ms. Leinbach indicated that it has always been the policy that the Borough would only take paper bags and not plastic but if Council wishes to change the rules about plastic bags that is their choice. Ms. Leinbach explained that it would cost the Borough more money to take plastic bags because we would need to slice open the bags and dump the leaves in the dumpster because plastic is not allowed. In addition people tend to really stuff the plastic bags making them heavier and harder to lift which takes more time to collect. This was discussed and Council decided to keep the rules the same and not take plastic bags.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

GENERATOR - The electrical work has been done, the hole for the cement pad is dug and the cement will be laid next week. Once that is complete the generator will be delivered, once delivered the appropriate people will be brought in to do the connections.

MUNICIPAL LANDS - ALLISON LEINBACH

GYPSY MOTH SPRAYING - The information and bill was received today for the 2009 gypsy moth spraying which includes 4.7 acres. The bill is for \$141.00. **MOTION:** Mr. Eggert made the motion to pay the bill received from the Berks County Conservation District for the gypsy moth spraying totaling \$141.00; seconded by Mrs. Eshelman; all were in favor and the motion carried.

HUNTING SIGNS - The NO GUNNING SIGNS have been posted on the Borough land. Mayor Lubenow indicated that he posted approx 100 signs and there have been no phone calls or complaints about the signs to date.

INSURANCE - ALLISON LEINBACH

PROPERTY INSURANCE - We are currently paying \$13,000 for our property insurance. A quote was received from EHD in the amount of \$10,344 and from EMC who is our current carrier for \$9,013 through the Richard I. Hart Agency. **MOTION:** Mr. Eggert made the motion to stick with EMC through the Richard I. Hart Agency at the price of \$9,013 for property insurance coverage; seconded by Mr. Simmons; all were in favor and the motion carried.

NEWSLETTER - ALLISON LEINBACH

The next newsletter is scheduled to go out right after the next Council meeting; the newsletter is partially completed. Mrs. Eshelman asked that the information about not blocking the mailboxes with snow be put in the newsletter so that people will still receive their mail.

BOROUGH MANAGER'S REPORT - ALLISON LEINBACH

The report was distributed to the members of Council for review.

NEW BUSINESS

BOROUGH NEWS - The Borough News subscription is up for renewal.

GENERAL COMMENTS TO COUNCIL

THANK YOU - Mrs. Eggert thanked Council for the fruit basket that they sent to her during her recovery from surgery.

EXECUTIVE SESSION: MOTION: Mr. Eggert made the motion to move into executive session to discuss a law suit and investigation by the insurance company; seconded by Mrs. Eshelman; all were in favor and the motion carried. Council moved into executive session at 8:45 PM. Council came out of executive session at 9:45 PM.

2008 SEWER REHABILITATION PROJECT - MOTION: Mr. Eggert made the motion to move ahead with the bidding process for the 2008 sewer rehabilitation project specifications with final review by engineer, Borough Manager and Solicitor for the rehabilitation project which includes the relining of Lynn Avenue from Lynn Avenue to meter pit #3, the three sections on Bingaman Street, manhole repair and televising a few laterals on Prospect Street that we know may be causing some problems with a construction cost around \$111,000 with bid opening prior to the December Council meeting; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ST. LAWRENCE INTERCEPTOR SEWER LINE - MOTION: Mr. Eggert made the motion authorizing Spotts, Stevens & McCoy to prepare and advertise bid specs and documents for final review for bidding with a few different options including replacement, relining and an upgrade cost to a 15" line as well as lateral replacement or relining; seconded by Mrs. Eshelman; all were in favor and the motion carried. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager and Solicitor as required to enter an agreement with McCullough Agreement upon the final review to help with the grant process for the St. Lawrence Interceptor project; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ADJOURNMENT: Mr. Eggert made the motion to adjourn; seconded by Mr. Whitman; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 9:50 PM.

Respectfully submitted,

Susan D. Eggert
Borough Secretary

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, DECEMBER 11, 2008**

ATTENDANCE:

Robert J. May, Council President
David W. Eggert, Council Vice President
Joan Eshelman, Councilwomen
Ronald Ivison, Councilman
D. Michael Bennethum, Councilman
James Simmons Jr., Councilman
Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
William C. Daniels, Code Enforcement/Zoning Officer
Warren Lubenow, Borough Mayor
CJ Levan, Van Cleef Engineering
Joan London, Esq. ,Kozloff Stoudt – Borough Solicitor
Derrick Hicks, Reading Eagle

CALL TO ORDER - The meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May at 7:30 PM.

APPROVAL OF THE MINUTES - The minutes of the November 13, 2008 meeting were distributed to the members of Council prior to the meeting for review. There were no questions or clarifications. **MOTION:** Mrs. Joan Eshelman made the motion to accept the minutes as presented; seconded by Mr. David Eggert; all were in favor and the motion carried.

TREASURER'S REPORT - Ms. Leinbach indicated that this evening there were two treasurer's reports; one is a revised October report and the other is the November report. The October report for the sewer fund was not complete and shows an ending balance of \$116,589.93. Ms. Leinbach indicated that the November treasurer's report was complete and could be filed for audit. There were no questions. **MOTION:** Mr. Cary Whitman made the motion to accept the revised October treasurer's report and the November treasurer's report as presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL: \$97,109.81 **SEWER:** \$140,758.50 **LIQUID FUELS:** \$107,719.61 **CAPITAL RESERVE:** \$83,484.73

APPROVAL AND PAYMENT OF THE BILLS: The bills were presented for payment. There was an additional bill to be paid from the sewer fund to SSM in the amount of \$1001.16. Bills to be paid from the general fund total \$57,458.30; the sewer fund bills total \$3,934.36. There were no questions. **MOTION:** Mr. David Eggert made the motion to pay the bills presented as well as the additional bill from SSM; seconded by Mrs. Eshelman; all were in favor and the motion carried. Ms. Leinbach told Council that she had transferred \$10,000 from the recreation operations account to the general fund. The general fund has paid bills for recreation and the money was never transferred. This was for informational purposes only.

REPORT OF THE CODE ENFORCEMENT/ZONING OFFICER - WILLIAM C. DANIELS

3001 PERKIOMEN AVENUE - This is an ongoing issue for which the Berks County Conservation District is now involved.

SUBURBAN PETROLEUM - Ms. London indicated that she needs some further information from Mr. Daniels on this matter.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, KOZLOFF STOUDT

ORDINANCE #395 - This ordinance is setting the real estate property tax millage at 3.84 mills. This was advertised in the Reading Eagle on November 19th. This is keeping the millage rate the same as the past 4 years. **MOTION:** Mr. Whitman made the motion to adopt Ordinance #395 setting the millage rate at 3.84 which is the same millage rate since 2004; seconded by Mr. James Simmons; all were in favor and the motion carried.

MCCULLOUGH GROUP AGREEMENT - Ms. London indicated that this a group aids in obtaining grants. The Borough is seeking a grant for sewer work to be done. This is a standard contingency fee agreement, the Borough will pay filing files and commitment fees. If no grant is secured through them there are no other fees. There was prior authorization to sign this agreement and final review has been done by Ms. London.

REPORT OF THE BOROUGH ENGINEER - CJ LEVAN, PROJECT MANAGER VAN CLEEF ENGINEERING

3001 PERKIOMEN AVENUE - This property is owned by Mr. Tony Grande. There has been an ongoing issue with land that was disturbed. Mr. Levan indicated that he has been in contact with the Conservation District; they were out at the site on Monday and they have issued a noncompliance report. The Borough Office has received the report. They are currently noncompliant to stabilizing the site. They were given until Monday, December 15, 2008 to have an erosion and sedimentation plan developed. If this is not done the fining process will begin.

GOODWILL INDUSTRIES - The Borough has met with Goodwill Industries, architects and Ludgate Engineering as well as the Borough Engineers, fire code official, building code official and Exeter Township. Goodwill Industries is interested in purchasing the old Fleetwood Industries building across from the Antietam Valley Shopping Center. Goodwill would like to have three occupants in the building as well as their own multiple uses and will need to do adjustments to the building. There was a lengthy discussion as to what the intentions are for the building. As a result of the meeting they were asked to meet with the Planning Commission to get insight on what they intend to do with the building. They have asked for a zoning variance application. No permits or applications were submitted as of December 11, 2008. It was also noted that there was a variance given from Exeter Township for the section that is in Exeter Township which allows for warehouse only to the manufacturer of the building which could present another whole problem. All entries and accesses to the building are in the Borough. Mr. May suggested that sidewalks should be a big consideration when looking at plans and change of use. Having sidewalks in the Borough has been an issue in the past and this would be the ideal time to get this done.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

POLICE REPORT - The police report was distributed to all members of Council for review. Mayor Lubenow pointed out that the Fleetwood Industries building has been used for K 9 training and has proved to be a great training site. Mayor Lubenow also indicated that Tex, the former Mayor, has been hospitalized. At this time a card was passed around the table to sign wishing him a quick recovery and happy holidays. It was noted that there was a call on the report to Charcoal Chef which is not in the Borough; Mayor Lubenow will take care of having this removed from the report.

BUDGET & FINANCE - ALLISON LEINBACH

2009 FINAL BUDGET - The final budget was distributed to the members of Council; nothing has changed from the preliminary budget. **MOTION:** Mr. Eggert made the motion to adopt the 2009 budget as presented; seconded by Mr. Whitman; all were in favor and the motion carried.

2008 CONTRIBUTIONS - A list of the contributions made in 2007 were distributed to the members of Council showing what has been previously done. Ms. Leinbach indicated that the Animal Rescue League is an agreement that we have with them to pick up stray animals in the Borough, Crime Alert Berks County is a request that we started doing last year, Berks County Solid Waste Authority is the organization that does the electronic and hazardous waste collection, Exeter Township Fire Police respond into St. Lawrence for traffic accidents and when requested by fire or police, the Exeter Library contribution has been \$3.00 per person according to the 2000 census which is \$5436 and the capital campaign promise of \$2,000 which was to be for a stained glass window which was eliminated and replaced with naming opportunities and the last two big items are the donations to the fire companies. It was noted that next year the Reiffon Fire Company will be the Exeter Township Fire Company as of 1/1/09. At this time the Borough's cash flow could present a problem. It was noted that usually the first quarter is tough for most municipalities. Ms. Leinbach indicated that after all of the contributions are made we would be left with approx \$40,000 which needs to last until March. Mr. Whitman asked if any of these contributions could wait until after we start receiving tax dollars. There was a lengthy discussion and Council decided to table the contributions to the fire companies and the library until after real estate tax dollars are received. In addition Rev. Bennethum was asked to look into what opportunities that Borough would have with regard to the capital campaign promise. Ms. Leinbach indicated that she has contacted Mr. Bingaman from Exeter Township to ask what expectations from St. Lawrence would be expected with regard to the Exeter Township Fire Company. Mr. Bingaman indicated that he would let her know prior to the end of the year. After a lengthy discussion it was decided to act on several of the contributions. **MOTION:** Mr. Whitman made the motion to act on the contribution to the Animal Rescue League in the amount of \$500, Crime Alert Berks County in the amount of \$250, Berks County Solid Waste Authority in the amount of \$250 and the Exeter Township Fire Police in the amount of \$250 for a total amount of \$1250; seconded by Mr. Eggert; all were in favor and the motion carried. There was a short discussion about the memberships. **MOTION:** Mr. Whitman made the motion to renew the following memberships: Center for Community Leadership \$500, State Association of Boroughs \$325, Berks County Conservation \$50, and Berks County Association of Boroughs \$25; seconded by Mr. James Simmons; all were in favor and the motion carried. **MOTION:** Mr. Eggert made the motion to subscribe to the Borough News magazine (4 subscriptions) for a total of \$48; seconded by Mr. Simmons; all were in favor and the motion carried.

AGREEMENT WITH THE COUNTY FOR PRINTING OF TAX BILLS - The county has issued an agreement to be signed for the printing of the 2009 real estate tax bills. **MOTION:** Mr. Eggert made the motion authorizing Mr. May to sign the agreement with the County of Berks to print the 2009 real estate tax bills; seconded by Mr. Whitman; all were in favor and the motion carried.

STREETS & LIGHTS - JOAN ESHELMAN

305 LEVAN STREET - The street light at this location which is Borough owned was not working. Met Ed was contacted and they stated that there was power to the light and that we needed to get an electrician to look at the light. The electrician went out to look at the light and indicated that there is not enough voltage going to the pole. Met Ed has been contacted to go back out to look at the light; no response from them as of yet.

PLAYGROUND PATHWAY LIGHTS - Ms. Leinbach indicated that the pathway lights at the playground were not working again. The electrician went out and changed the bulb and 4 days later the bulb went out again; the problem turned out to be the balas and photocell. The repair has been done and now the pathway lights are working again.

PRE-EMPTIVE DEVICES - Mr. May indicated that the new shopping center down in Exeter will have two or three traffic lights. Exeter enacted an ordinance stating that any land development requiring signaling would have to have pre-emptive devices. They have selected a company and have chosen the traffic light at Turkey Hill and Burger King to be done first and then budget to get the others done over the next two years. The last price that we received was \$10,000 for the pre-emptive device and \$8,000 for the controller upgrade. Mr. May indicated that maybe now the Borough should start considering some sort of funding for pre-emptive devices over the next year or so to match everyone else.

PLANNING COMMISSION - ALLISON LEINBACH

APPOINTMENT BARRY BIXLER - Resolution 671-2008 would appoint Barry Bixler to the Planning Commission for a 5 year term ending 4/1/13. **MOTION:** Mr. Eggert made the motion to adopt Resolution 671-2008 appointing Mr. Barry Bixler to the Planning Commission for a 5 year term ending 4/1/13; seconded by Mrs. Eshelman; all were in favor and the motion carried.

SANITARY SEWER - ALLISON LEINBACH

SEWER REHAB PROJECT - This is currently out for bid and bid opening will be 1/6/09 in time for Council Meeting on 1/8/09. Ms. Leinbach indicated that Spotts was looking for an authorization to have the sewer engineers move forward with the next set of bid specs. The Borough is applying for grant money to do these projects and to have bids out would make the project look solid. **MOTION:** Mr. Whitman made the motion authorizing SSM to continue expanding the bid specs for the additional projects further on the phases of the primary sewer project; seconded by Mrs. Eshelman; all in favor and the motion carried.

TRASH & RECYCLING - JOAN ESHELMAN

2009 HOLIDAY SCHEDULE/SPRING CLEAN-UP - Mrs. Eggert received a call from Eagle Disposal to set the holiday schedule and spring clean up for 2009. The only holiday affected is Thanksgiving; pick up will occur on Saturday, November 28 and Spring Clean Up was scheduled for May 14. This will be gotten in writing from Eagle Disposal.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

Mr. May attended a meeting last night. The subject of the meeting was the Nickel Mines Amish Schoolhouse tragedy. Mr. May indicated that pagers were also handed out to emergency management coordinators.

ZONING HEARING BOARD - ALLISON LEINBACH

ALTERNATE FOR ZONING HEARING BOARD - Mr. Michael Fritz was appointed as an alternate to the zoning hearing board by way of Resolution 672-2008 which was done last month. The resolution was signed this evening.

MUNICIPAL LANDS - ALLISON LEINBACH

CHURCH LANE PROPERTY - Mayor Lubenow indicated that the Borough property does have a small piece that borders on Church Lane Road. There is a fire lane that goes from Church Lane up into our property, through our property and probably also gives access to a few landlocked properties. Mayor Lubenow showed a map and explained the area in question to all Council members. The fire lane starts on a property that the Borough does not own however people are using this fire lane to do logging and gain access to our properties. Since the fire lane does not start on Borough owned property and we the fire lane to gain access to our property that perhaps we should obtain an easement to access our property. There was discussion about placing no trespassing signs, private property on the land which is Borough owned. Also there was discussion about having the solicitor contact the property owner to obtain an easement to access our property since the entrance is not on our property. **MOTION:** Mr. Eggert made the motion authorizing the Borough Solicitor to contact the property owner to obtain an easement to access our property and post no trespassing signs, private property signs on our property; seconded by Mr. Simmons; all were in favor and the motion carried.

HUNTING - Mr. Whitman indicated that he had concerns about people hunting with guns on the Borough properties even though the signs specifically state no gunning. There have been people who questioned whether we own the land. Mr. Whitman had concerns about archery hunting. It was decided that safety zone signs can be placed and this will be done.

LIBRARY LIAISON - MICHAEL BENNETHUM

COUNTRY AUCTION - Rev. Bennethum told Council that the library did very well with the Country Auction that was held in October grossing over \$8,000. They are currently working on a new governing document and bylaws for the library. At the November meeting they accepted the resignation of the library director and they are currently searching for a new director.

BOROUGH MANAGER'S REPORT - ALLISON LEINBACH

The Borough Manager's report was distributed to the members of Council for review. There were no questions.

NEW BUSINESS

ANIMAL RESCUE LEAGUE AGREEMENT - The agreement was reviewed with Council. Services that they will provide were reviewed in detail. **MOTION:** Rev. Bennethum made the motion authorizing Mr. May to sign the annual agreement with the Animal Rescue League; seconded by Mr. Eggert; all were in favor and the motion carried.

AUTHORIZATION TO ADVERTISE MEETING SCHEDULE 2009 - The meeting schedule was distributed to the members of Council for review. There was a short discussion; Council decided that all meetings with the exception of the April meeting will be the second Thursday of the month. Due to a religious holiday, Holy Thursday, the April meeting will be held on Wednesday, April 8, 2009. The schedule will be advertised after the Planning Commission meeting on Wednesday, December 17, 2008. The schedules will then be advertised together. **MOTION:** Rev. Bennethum made the motion to advertise the meeting schedule with the change as noted above as well as the Planning Commission meeting schedule when finalized; seconded by Mr. Eggert; all were in favor and the motion carried.

EXECUTIVE SESSION

MOTION: Mr. Eggert made the motion to move into executive session to discuss personnel matters; seconded by Mrs. Eshelman; all were in favor and the motion carried. Council moved into executive session at 8:40 PM. Council came out of executive session at 8:52 PM.

EMPLOYEE COMPENSATION - Council has decided to set employee compensation at the following for the 2009 calendar year. Borough Secretary at an hourly rate of \$14.75; Zoning Officer/Code Enforcement Officer at an hourly rate of \$19.15; cleaning personnel at an hourly rate of \$11.19; School crossing guard rate at \$22.00 per day; and Borough Manager salary at \$60,196.50 annually. **MOTION:** Mrs. Eshelman made the motion setting the above compensation rates; seconded by Mr. Simmons; the motion carried with Mr. Simmons, Mrs. Eshelman, Dr. Ivison, Mr. May and Rev. Bennethum voting in favor; Mr. Whitman and Mr. Eggert abstaining due to personal relationships.

ADJOURNMENT: MOTION: Mr. Eggert made the motion to adjourn; seconded by Mr. Whitman; all were in favor and the motion carried. The meeting of the Borough Council adjourned at 8:58 PM.

Respectively submitted,

Susan D. Eggert, Borough Secretary