

**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