

**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