

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
WEDNESDAY, APRIL 8, 2009**

ATTENDANCE:

Mr. David W. Eggert, Council Vice-President
Rev. D. Michael Bennethum, Councilman
Mrs. Joan Eshelman, Councilwoman
Mr. James G. Simmons Jr., Councilman
Mr. Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Ms. Allison A. Leinbach, Borough Manager
Mrs. Susan Eggert, Borough Secretary
Mr. William C. Daniels, Zoning Officer/Code Enforcement Officer
Mr. CJ Levan, Van Cleef Engineering
Ms. Joan London Esq., Kozloff Stoudt (Arriving at 8:30 PM)
Mr. Warren Lubenow, Borough Mayor
Mr. Val Lacis, Reading Eagle

ABSENT:

Mr. Robert J. May, Council President
Dr. Ronald Ivison, Councilman

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order by Mr. David W. Eggert, Council Vice-President at 7:34 PM.

APPROVAL OF THE MINUTES: The minutes of the previous meeting held on Thursday, March 12, 2009 were distributed to all Council members prior to the meeting for review. There were no questions, clarifications or corrections to the minutes.

MOTION: Mrs. Joan Eshelman made a motion to accept and approve 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 prior to the meeting for review. There were no questions, corrections or clarifications and Ms. Leinbach stated that the treasurer's report could be approved as presented and filed for audit. **MOTION:** Mrs. Eshelman made the motion to accept and approve the treasurer's report as presented; seconded by Mr. Cary Whitman; all were in favor and the motion carried.

GENERAL: \$97,124.68 **SEWER:** \$132,924.58 **LIQUID FUELS:** \$107,871.61 **CAPITAL RESERVE:** \$93,616.37

APPROVAL AND PAYMENT OF THE BILLS: The bills needing payment and ratification were presented to Council for review. Ms. Leinbach explained that there are two bills from Telco; one is for the repair to the traffic signal at Bingaman Street for which an insurance check in the same amount was received; the second was for the repair of the traffic signals on Perkiomen Avenue by McDonalds which was previously discussed at March's meeting. The bills to be paid from the general fund totaled \$46,434.15; the sewer fund bills totaled \$16,608.29. **MOTION:** Mrs. Eshelman made the motion to ratify and pay all bills presented; seconded by Rev. Bennethum; all were in favor and the motion carried.

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

CODE ENFORCEMENT LETTERS: Mr. Daniels told Council that he sent out two code enforcement letters. One was sent regular mail and the other was being delivered by Mr. Ganster.

3608 ST. LAWRENCE AVENUE - Ms. Leinbach indicated that she received a call from Mr. Raffaele DiBiase with regard to the tenant and landlord registration ordinance that was advertised for adoption this evening. Ms. Leinbach told Council that she explained the need for this ordinance and Mr. DiBiase intends to be compliant once the ordinance is adopted.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON

The report was postponed and done upon Ms. London's arrival at 8:30 PM.

ORDINANCE 396 TENTANT AND LANDLORD REGISTRATION - Draft copies of the tenant and landlord registration ordinance was reviewed by Council. This ordinance mandates all commercial and residential landlords to register their businesses and all tenants within a business or residence. There is no fee currently for registration. The initial registration deadline will be set for June 30, 2009 which gives landlords 60 days to register. **MOTION:** Mrs. Eshelman made the motion to adopt Ordinance 396 which mandates that all landlords commercial or residential register their businesses and tenants with the initial deadline of June 30, 2009; seconded by Mr. James Simmons; all were in favor and the motion carried.

INTERMUNICIPAL AGREEMENT WITH LOWER ALSACE FOR SALT STORAGE - It was decided to table this agreement until both the supervisors from Lower Alsace and the Council persons from the Borough had a chance to review the agreement.

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

STORMWATER SWALE - It was discovered by Mr. Daniels and Ms. Leinbach that the stormwater swale between the St. Lawrence Garden Apartments and the Antietam Valley Shopping Center is in terrible condition. Mayor Lubenow also went out to look at the area at which time Ms. Leinbach called Mr. Levan and asked Van Cleef to look at the area. This area handles all of the stormwater from Perkiomen Avenue from McDonald's to Mt. Penn Dinner as well as the Garden Apartments. Mr. Levan went out by himself to look at the area and decided to take a surveyor out to the area the following day. The erosion is so bad that what used to house the pool equipment for the Garden Apartments is falling down, trees are falling down and the banks have become extremely steep making the area completely unsafe for walking. Mr. Levan also noticed that there is severe erosion at the end of the parking lot of the Garden Apartments. There is also a stormwater manhole lid which is starting to fall apart. Mr. Levan showed several pictures to Council of the problems with the storm water management at this location. After a lengthy discussion it was decided that this needs immediate attention. Mr. Levan told Council that he has made several contacts and explained the permit process. Mr. Levan also indicated that perhaps the US Army Corp would have to become involved with this matter. Mr. Levan told Council that there was a trail created which clearly indicates that someone or something is walking through this area on a regular basis which is clearly unsafe. Council authorized Mr. Daniels to go and rope off the area on both sides to prevent anyone from walking in this area. Mr. Levan suggested that the area be completely surveyed which would cost somewhere between \$10,000 and \$15,000 however Council felt that there was no choice in the matter and that the survey needed to be done. **MOTION:** Mr. Whitman made the motion authorizing Van Cleef Engineering to perform a survey of the area not to exceed \$15,000 for the Perkiomen Stormwater project; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

POLICE REPORT - The police report was available for review. There were no questions.

SPEEDING - Mayor Lubenow indicated that the police have been setting speed traps along St. Lawrence Avenue again. Mayor Lubenow asked when we would be getting the speed sensory up again and where the additional poles should be placed. Ms. Leinbach indicated that she would like to have a pole on Bingaman Street because we can also do traffic counts with the speed sensory and maybe also on Elm Street because we can set a flashing school zone speed limit with the speed sensory.

BUDGET & FINANCE - ALLISON LEINBACH

TAX MONEY - Ms. Leinbach indicated that the tax dollars have been coming in steadily which is helping the Borough financially.

STREETS AND LIGHTS - JOAN ESHELMAN

LEVAN STREET - Mayor Lubenow indicated that the street light on Levan is now working. Ms. Leinbach indicated that there is another light on Poplar that is starting to fail and Telco will need to be called.

PLANNING COMMISSION - ALLISON LEINBACH

There was no quorum for the March meeting however Mr. May was able to attend. Mr. Bixler from the Planning Commission who was present along with Ms. Leinbach, Mr. May and Mr. Levan went through the draft SALDO and made a few minor changes. Mr. Levan will be making those changes to the draft and the Planning Commission will need to review at their next meeting. If the draft SALDO is not ready for April's meeting and there is no other business the meeting will be canceled.

SANITARY SEWER - ALLISON LEINBACH

Ms. Leinbach is working on a root cutting and flushing schedule which needs to get underway. Phase I of the sewer project is set to start late April; the notice to proceed has been sent. This project involves relining from Lynn Avenue down to meter pit I, Bingaman Street and a few other same areas. There is a meeting scheduled with Senator O'Pake on Thursday, April 9, to discuss the H2O Grant Application.

TRASH & RECYCLING - CARY WHITMAN

Mr. Whitman would like to address closed containers for trash due to the skunk problem that we experienced last year. Ms. Leinbach indicated that this is going to be addressed in the new trash and recycling ordinance which can now be done since we have the landlord tenant registration in place. Also Spring Clean Up is scheduled for May 14th.

RECREATION - DAVID W. EGGERT

PLAYGROUND LEADERS - The recreation committee recommended that Council hire both Laura Ellis and Melissa Ellis as the playground leaders for the summer playground program. Both will be paid \$7.50 an hour. **MOTION:** Mr. Whitman made the motion to hire both Laura Ellis and Melissa Ellis at a salary of \$7.50 per hour for the summer; seconded by Mrs. Eshelman; all were in favor and the motion carried.

EASTER EGG HUNT - The Easter Egg Hunt is scheduled for Good Friday, April 10th rain or shine at the playground. Cookies and crackers will be served as well as hot chocolate and coffee.

ZONING HEARING BOARD - ALLISON LEINBACH

GOODWILL INDUSTRIES - The zoning hearing for Goodwill Industries is scheduled for Thursday, April 16th. The list provided to the Borough of the property owners within 500 feet were sent notices of the hearing, the Borough Hall has been posted and the Goodwill Industries property has been posted. Ms. London asked for authorization to attend the hearing to question witnesses and provide testimony if necessary. Ms. Leinbach recommended that Council authorize Ms. London to attend given the circumstances. **MOTION:** Mrs. Eshelman made the motion authorizing Ms. London to attend the zoning hearing for Goodwill Industries to question witnesses and provide testimony if needed; seconded by Mr. Simmons; all were in favor and the motion carried.

MUNICIPAL LANDS - WARREN LUBENOW

HIKE - Mayor Lubenow is going to provide a tour of the hillside and hike for any resident interested. Mrs. Eggert informed Mayor Lubenow that she received one phone call and reservation for the hike thus far.

PLAYGROUND - Ms. Leinbach indicated that one compliment was received about the clean up and upkeep of the playground this spring.

INSURANCE - ALLISON LEINBACH

PAYROLL AUDIT - Ms. Leinbach indicated that the Borough has received an additional bill for workmen's compensation insurance after the payroll audit was completed. Our insurance agent is looking into this matter given the size of the increase, which has basically doubled.

NEWSLETTER- ALLISON LEINBACH

A newsletter was sent out the end of March. The next newsletter will go out sometime the middle of spring. It will be advertised that the Borough is seeking an alternate for the Zoning Hearing Board and someone to serve on Borough Council.

GENERAL COMMENTS TO COUNCIL

The Borough now has a website. Ms. Leinbach will keep the site as up to date as possible.

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 9:05 PM.

Respectively submitted,

Susan D. Eggert, Borough Secretary