

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, JANUARY 8, 2009**

ATTENDANCE:

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

OTHERS IN ATTENDANCE:

Allison A. Leinbach, Borough Manager
Susan D. Eggert, Borough Secretary
Warren Lubenow, Borough Mayor
CJ Levan, Van Cleef Engineering
Joan London, Borough Solicitor – Kozloff Stoudt
Karyn Feick, Reading Eagle

ABSENT:

William C. Daniels, Code Enforcement/Zoning

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 December 11, 2008 meeting were distributed to the members of Council prior to the meeting for review. There were no clarifications, corrections or additions to the minutes. **MOTION:** Mrs. Joan Eshelman made the motion to 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. The report was reviewed. Ms. Leinbach indicated that the treasurer's report could be approved as presented and filed for audit.

GENERAL: \$86,455.31 SEWER: \$143,369.87 LIQUID FUELS: \$107,746.18 CAPITAL RESERVE: \$93,507.52
There were no clarifications, corrections or questions. **MOTION:** Mr. David Eggert made the motion to accept the treasurer's report was presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

APPROVAL AND PAYMENT OF THE BILLS: The report was divided into bills that were paid in December 2008 and January 2009. Bills to be paid out of the 2008 budget total \$6,789.78 from the general fund and one bill for \$1,0.16 to be paid out of the sewer fund. Bills to be paid out of the 2009 budget total \$25,938.44 from the general fund and from the sewer fund \$5,513.79. There were no clarifications, additions or corrections. **MOTION:** Mr. Eggert made the motion to ratify and pay all of the bills as presented; seconded by Mr. Cary Whitman; all were in favor and the motion carried.

APPOINTMENTS FOR THE 2009 CALENDAR YEAR

RESOLUTION 673-2009 - Resolution 673 states Council's intent to make the following appointments. Borough Manager – Allison Leinbach, Borough Secretary – Susan D. Eggert, Zoning/Code Enforcement Officer – William C. Daniels, Plumbing Inspector – Brian Sands, Borough Engineer – Van Cleef Engineering, Borough Engineer for Sewer – SSM, Borough Solicitor – Kozloff Stoudt, Borough Auditor – Maillie, Falconiero, & Company, LLP, UCC Fire Code Official – David Janiszewski, UCC Building Code Official – Technicon, Sewage Enforcement Officers – Sean Corey and Shawn Mantz, SSM, and Assistant Zoning Officer – Allison A. Leinbach. **MOTION:** Mrs. Eshelman made the motion to adopt Resolution 673-2009 making the above mentioned appointments for the calendar year 2009; seconded by Rev. D. Michael Bennethum; Mrs. Eshelman, Rev. Bennethum, Mr. May, Mr. Simmons and Dr. Ivison voting in favor; Mr. Eggert and Mr. Whitman abstaining due to personal relationship with Borough Secretary.

ADOPTION OF A PARTIAL FEE SCHEDULE - There was previous discussion with regard to our fee schedule. Most of the fees were not reflective of time spent and/or for consultants, engineers, etc. to pay for costs the Borough incurs to process a permit. There was a new partial fee schedule distributed for Council's review. The fee schedule includes everything related to inspection, construction, signs and permits. The increase would provide additional funds to cover the cost for inspections. This is meant to be revenue neutral and not a way for the Borough to make money. Dr. Iverson asked whether these fees existed in the past; Ms. Leinbach indicated that the fees did exist but that they were not high enough to cover the costs of all of the inspections. This is being done so that the Borough and taxpayers are not subsidizing for inspections to be done. A copy of the partial fee schedule is included in the minutes. **MOTION:** Mr. Eggert made the motion to adopt Resolution 674-2009 which is a partial fee schedule; seconded by Dr. Iverson; all were in favor and the motion carried.

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

Mr. Daniels was not in attendance this evening. Ms. Leinbach indicated that there are some ongoing code enforcements for which paperwork needs to be completed. We need to look at the property maintenance code and send out enforcement letters.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON

Ms. London indicated that she had nothing to report but that she is assisting with the code enforcement issues.

REPORT OF THE BOROUGH ENGINEER - CJ LEVAN, PROJECT MANAGER

STREET OPENING PERMIT FEES - Mr. Levan indicated that he had spoken to Ms. Leinbach about street opening permits. There is some concern that the current fees are not high enough to cover all costs. We have had some previous contractors who have done work and caused damage in the public right of way for which repairs need to be done however the main concern is that there was not enough monies in the maintenance fund in order to cover the estimated cost of said repairs. There was a lengthy discussion about what the appropriate fee should be in order for all repairs to be covered. Mr. Levan indicated that he has done a lot of research and in conclusion his recommendation is to set the fee at \$125 per square yard in the street and to leave the fee of \$60 per square yard for between the curb and the sidewalk in case the curb or sidewalk would be damaged. Mr. Levan indicated that some other questions have come up including what financial instruments would the Borough be willing to accept for the maintenance bond. Service Electric has requested to do additional work, about a 1/2 mile worth of cable that they want to rework on Orchard and Elm including three crossings underneath the road. The maintenance bond is going to cost them around \$20,000 even at the \$60 per square yard. Mr. May indicated that he had a concern that if we accept a performance bond that it would increase the Borough's costs. Ms. London indicated that perhaps a letter of credit could be accepted. This would be similar to what a developer would get and would continue to renew until the Borough received notice that the bank would not renew it any further. Mr. May asked whether or not we would need to amend the ordinance to accept a letter of credit under the discretion of the Borough Manager and amend the permit fee to reflect a road or street vs. a non-road opening. Ms. London indicated that if a letter of credit is done properly can be drawn on, on demand by the Borough upon presentation of an invoice. Mr. Levan indicated that during his conversation with Ms. Leinbach it was thought that it would be a good idea to go out and take pictures before any street is opened to make sure that it is fixed to standard. The current fee is \$50 for a base fee plus \$6.50 per square yard. Mr. Levan explained that in a small area it would not pay enough to cover the cost of sending someone out to take pictures and so forth but on a larger project the fee would be extremely high. Mr. Levan recommended that the Borough charge a flat fee which is more reasonable or a flat fee for a portion and add 10 cent per linear yard. There was a short discussion. Mr. May asked that Ms. Leinbach calculate a fee schedule and present it at the next meeting. Service Electric is also seeking relief from the permit fee for the project discussed above. Mr. May suggested that Mr. Levan tell them that they can either wait 30 plus days until the new fee schedule goes into effect or if they do not want to wait that they pay the fee and seek a refund at a later time.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

The incident report was included for everyone's review. Mayor Lubenow indicated that the police department is changing the districting of the police. Mayor Lubenow indicated that they splitting it up into five districts; St. Lawrence is in the district which includes all of St. Lawrence, Perkiomen Avenue to include the schools and Butter Lane. They will be assigning an officer to a certain district for one month. Mayor Lubenow indicated that he has asked the officer to stop and see him or stop at the Borough Hall and speak to Ms. Leinbach. Mayor Lubenow has seen Tex and he is doing better. Mrs. Eggert told Council that Tex had called the Borough Hall to wish everyone a happy New Year. Mr. Simmons asked Mayor Lubenow if there has been any talk about a speed trap on Parkview. The residents on Parkview Road are very concerned with the speed of vehicles on that road. Mayor Lubenow will speak to them about setting up a speed trap again.

BUDGET & FINANCE - ALLISON LEINBACH

PLGT - Ms. Leinbach is going to setup a few more accounts with PLGT since their interest rate is 1.6% instead of the .25% that we are getting at Commerce.

PLANNING COMMISSION - ALLISON LEINBACH

GOODWILL INDUSTRIES - Goodwill Industries presented an informal plan to the Commission. Ms. Leinbach told Council that Planning Commission may be recommending to Council to waive a land development plan for that property pending an engineer review. The recommendation will come to Council in writing.

SANITARY SEWER - ALLISON LEINBACH

SEWER REHAB PROJECT - The bid opening for the sanitary sewer project reads as follows; AM Liner East \$85,435.00; Insituform Technologies, Inc. \$88,268.50; All State Power Vac \$93,016.55; Reynolds Inliner \$95,536.60; and Mr. Rehab \$99,720.00. The engineering estimate on the bid was \$110,000. Mr. Conrad reviewed the documents and has found AM Liner to be a good bidder. Ms. London and Ms. Leinbach need to complete their review. **MOTION:** Rev. Bennethum made the motion to award the bid to AM Liner East for a bid of \$85,435.00 as a maximum amount pending final review by the Solicitor and Borough Manager since there are some ala cart issues including video taping; seconded by Mr. Eggert; all were in favor and the motion carried.

CHAPTER 94 REPORT - The filing of the Chapter 94 Report by SSM not to exceed \$1,500. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to authorize SSM to file the Chapter 94 report with DEP; seconded by Mr. Whitman; all were in favor and the motion carried.

GANNETT FLEMMING - Gannet Fleming, Exeter Township's sewer engineers, are requesting further information from the Borough for the corrective action plan. This was for informational purposes.

EMERGENCY MANAGEMENT COORDINATOR

GENERATOR - The generator is here. The plumbing inspector needs to complete the gas hook up and the electrical is already roughed in and just needs to be completed once the gas hook up is complete.

ZONING HEARING BOARD - ALLISON LEINBACH

An application was sent out. The educational opportunity was sent to the Zoning Hearing Board members; Mrs. Eggert was asked to follow up with the members on this issue. The new zoning ordinance was sent to the members of the Zoning Hearing Board. At present the Board has no chairman. Council asked Mrs. Eggert or Ms. Leinbach to invite the members of the Zoning Hearing Board to come to the next Council meeting. This will need to be advertised so that they can elect a chairman.

BOROUGH HALL - ALLISON LEINBACH

ALARM TECH - There is an agreement for monitoring and inspection of the fire alarm system at a total of \$525 for the year. **MOTION:** Mr. Whitman made the motion authorizing Ms. Leinbach to sign the agreement with Alarm Tech for the monitoring and inspection of the fire alarm system at a total of \$525 for the year; seconded by Mrs. Eshelman; Mr. Whitman, Dr. Ivison, Mr. Simmons, Mr. May and Rev. Bennethum voting in favor and Mr. Eggert abstaining due to a friendship with Alarm Tech employees.

ARC VIEW - The maintenance for the Arc View GIS system needs to be renewed at a cost of \$400. **MOTION:** Mr. Eggert made the motion authorizing Ms. Leinbach to renew the maintenance for Arc View; seconded by Mrs. Eshelman; all were in favor and the motion carried.

POS of A - Mr. Whitman indicated that the POS of A would like to know when the ceiling will be repaired. The ceiling was damaged from the roof leaking. In addition, POS of A would like to have their meetings posted on the sign out in front of Borough Hall. Council indicated that they did not have a problem with the meetings being advertised on the sign which are the first and the fourth Tuesday of the month. This will also be advertised in the newsletter.

SIGN - The President and Vice President of Council will look into other sign options as the current sign is not in very good shape.

MUNICIPAL LANDS

MONUMENT - The old Borough Hall is up for sale again. We may have to remove the monument that sits in front of the building. Mr. May asked Ms. London to track down the owners to see if we could have an easement to the property around the monument so that the Borough can maintain the monument.

WOODED AREA - Mayor Lubenow indicated that he was walking through the woods and found evidence of a 4-wheeler that caused a lot of damage to the woodland area. This was brought up for informational purposes.

NEWSLETTER - ALLISON LEINBACH

The newsletter is almost complete and should be going out by the end of the month.

LIBRARY LIAISON - MICHAEL BENNETHUM

The Library is currently looking to hire a new director.

INCOMING & OUTGOING COMMUNICATION

THANK YOU - A thank you letter was received from Berks County Solid Waste Authority for our \$250 donation. This organization organizes the hazardous and electronic waste disposal events.

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 8:35 PM.

Respectively submitted,

Signed/Susan D. Eggert

Susan D. Eggert, Borough Secretary