

**ST. LAWRENCE BOROUGH COUNCIL  
MEETING MINUTES  
THURSDAY, JUNE 11, 2009**

**ATTENDANCE:**

Mr. Robert J. May, Council President  
Mr. David W. Eggert, Council Vice President  
Rev. D. Michael Bennethum, Councilman  
Mrs. Joan Eshelman, Councilwoman  
Dr. Ronald Ivison, Councilman – Arriving at 7:43 PM  
Mr. James G. Simmons, Jr., Councilman  
Mr. Cary G. Whitman, Councilman

**OTHERS IN ATTENDANCE:**

Mr. CJ Levan, Van Cleef Engineering Project Manager  
Mr. Warren Lubenow, Borough Mayor  
Ms. Allison Leinbach, Borough Manager  
Mrs. Susan Eggert, Borough Secretary  
Ms. Joan London, Kozloff Stoudt Borough Solicitor  
Mrs. Pamela Hilbert, Resident  
Mrs. Marilyn Gross, Resident  
Mr. Max Gross, Resident

**CALL TO ORDER:** The meeting of the St. Lawrence Borough Council was called to order on Thursday, June 11, 2009, at 7:32 PM by Council President, Mr. Robert J. May.

**APPROVAL OF THE MINUTES:** The minutes of the May 14, 2009, meeting were distributed to members of Council for review. There were no questions, corrections or clarifications. **MOTION:** Mrs. Joan Eshelman 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 Council for their review. There were no questions, corrections or clarifications. Ms. Leinbach indicated that the treasurer's report could be approved as presented and filed for audit. **MOTION:** Mr. Eggert made the motion to accept the treasurer's report as presented and could be filed for audit; seconded by Mrs. Joan Eshelman; all were in favor and the motion carried.

**APPROVAL AND PAYMENT OF THE BILLS:** - The bills needing payment and ratification were distributed to the members of Council for their review. All questions were answered. **MOTION:** Mr. Cary G. Whitman made the motion to approve all of the bills presented for payment and ratification; seconded by Mr. Eggert; all were in favor and the motion carried.

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

**CODE ENFORCEMENT LETTERS** - The letter is ready to go out to Mr. Reppert on Orchard Court tomorrow. This will be sent certified and he will be given 10 days to get the property cleaned up.

**FORINO PROPERTIES ON PENNS DRIVE** - Mr. Daniels reported that he received a complaint about two properties on Penns Dr for uncut grass. Mr. Daniels reported that they will be sent a letter next week.

**MR. DIBIASE'S PROPERTY** - Mr. DiBiase's property on St. Lawrence Avenue has seven businesses operating in the building. Mr. Daniels indicated that he had received a complaint from the neighbor about people using her driveway for parking. Mr. DiBiase did fill out the zoning permit which will be denied and the letter will be going out to him next week. Mr. DiBiase will most likely be going to the Zoning Hearing Board for a variance on parking.

**PLAYGROUND** - Mr. Daniels told Council that the mulch has been spread and the basketball rim will be going up prior to the opening of the playground on Monday, June 15, 2009.

**REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, KOZLOFF STOUDT**

**PERKIOMEN AVENUE STORMWATER PROJECT** - Letters were sent to property owners and adjoining property owners with regards to the storm water issue off of Perkiomen Avenue. Responses were heard from Antietam Valley Shopping Center and Park Run Associates (St. Lawrence Garden Apartments).

**CONDITIONAL USE HEARING DECISION** - Ms. London presented the written decision for the conditional use hearing held on May 14, 2009. The following stipulations are in the decision; a yield to pedestrian sign be placed in front of the building, property lighting be installed in the parking area because of the hours of the business, security doors be installed and that all Borough Ordinances and state regulations are followed. The decision requires signatures of all Council members. **MOTION:** Mr. Eggert made the motion authorizing Council to sign the decision; seconded by Mrs. Eshelman; all were in favor and the motion carried. There was a question with regard to the time frame that this agreement would be in affect; Ms. London indicated that she would look into this matter and also notify the applicant.

**ORDINANCE #397** - Ordinance 397 allows for the storage of salt at Lower Alsace and executes the agreement that was signed by both parties. **MOTION:** Mr. Eggert made the motion to adopt Ordinance #397 which executes the Intermunicipal Agreement between Lower Alsace Township and St. Lawrence Borough for the storage of road salt; seconded by Mrs. Eshelman; all were in favor and the motion carried.

**RESOLUTION 681-2009** - Resolution 681-2009 appoints Van Cleef Engineering as Assistant Zoning Officers which will allow them to testify at hearings with regard to zoning. **MOTION:** Mr. Eggert made the motion to adopt Resolution 681-2009 which appoints Van Cleef Engineering as Assistant Zoning Officers; all were in favor and the motion carried.

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

**PERKIOMEN STORM WATER PROJECT** - The US Army Corps has received the paperwork for the permit. There is a meeting scheduled for tomorrow with them as well as MetEd. Van Cleef submitted a proposal for the Perkiomen Storm Water Project broken into various sections. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager under the general scope of work to authorize a minimal amount of work to move the project forward if need be; seconded by Mrs. Eshelman; all were in favor and the motion carried.

**TRAFFIC COUNTS BINGAMAN STREET** - Mr. Levan indicated that he gave a proposal for doing traffic counts on Bingaman Street which may help the Borough in obtaining liquid fuels money from the County with regards to work that will need to be done to Bingaman Street after the bridge work is done. **MOTION:** Mr. Eggert made the motion authorizing Van Cleef Engineering to do the traffic counts on Bingaman Street; seconded by Mrs. Eshelman; all were in favor and the motion carried.

#### **REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW**

**POLICE REPORT** - Mayor Lubenow presented the monthly incident report; it was noted by Council that there were five calls in Community Park again. There was a discussion about contacting Exeter Township Supervisors with regard to the supervision of the park and recommend that they increase there surveillance of this location or perhaps gate the area since the other parks run by Exeter Township such as Lorane Hollow and Pineland Park have gates. By gating the area at least traffic can not enter into the park by vehicle.

#### **BUDGET & FINANCE - ALLISON LEINBACH**

**HEALTH INSURANCE** - Ms. Leinbach indicated that there will be a 41% increase in health care coverage this year. Blue Cross was contacted and a list of other options were sent for review. It was decided to change the coverage to something more affordable to the Borough and to the employees since the employees pay 20% of the coverage. It was decided to change to an HMO plan vs. a PPO plan which will increase the amount by one a few dollars for both parties. **MOTION:** Mr. Whitman made the motion authorizing the Borough Manager to enact the changes on employee health coverage; seconded by Mr. James Simmons; Mr. Simmons, Mrs. Eshelman, Mr. May, Rev. Bennethum and Dr. Ivison voting in favor; Mr. Whitman and Mr. Eggert abstaining due to personal relationship with employee; the motion carried.

**BERKS EIT** - Ms. Leinbach indicated that she received notice from Berks EIT that the second quarterly payment is in the neighborhood of \$57,000. Ms. Leinbach added that that is a substantial increase from last year.

#### **STREETS & LIGHTS - JOAN ESHELMAN**

**TELCO** - Telco has repaired a light on Poplar that was not working properly. This repair only required a bulb change however we need to have Telco do these repairs because we need a bucket truck. This repair was included in the bills to be approved for payment.

**SOLAR LEDS** - Mr. May told Council that he saw a pilot program involving solar LEDS. Mr. May enrolled the Borough in this pilot program and will keep Council updated as to whether or not the Borough was accepted in the program.

**SIGNAL PERMIT** - Ms. Leinbach indicated that we have received the signal permits back from PennDOT as well as the signed contract for the one year extension on the pre-emption device grant. We will now be able to go out and get bids and quotes for the pre-emption device for the signal at Bingaman Street and St. Lawrence Avenue.

#### **PLANNING COMMISSION - ALLISON LEINBACH**

The Planning Commission did not meet in May because there was no business. The SALDO revision is still in process. The Commission will most likely start working on a few revisions that need to be made to the zoning ordinance.

## **SANITARY SEWER – ALLISON LEINBACH/ROBERT MAY**

**SANITARY SEWER PROJECT** - The project is coming along nicely. The Lynn Avenue portion of the project is complete and Bingaman Street is almost finished. There was one change order of \$4,000 on the Lynn Avenue line because of substantial leaking. There was also a change order for a lateral on Bingaman Street which was sealed and the leaking migrated to the next joint. This involved replacing an additional 125 feet which cost approx \$7,000. There was a discussion about contacting the contractor and asking if they would be willing to extend the contract and perhaps the Borough could further the work to be done on the Bingaman Street line. Ms. Leinbach also indicated that she had contacted Ms. London with regards to securing funding in the amount of two million dollars for the next phase of the sewer project. This would include all of the fees for the sludge dryer. Mr. Conrad has begun preparing the documents and moving grant data into the document so that it is ready to go out for bid. It was noted that all funding would be needed even if the Borough receives a grant because it is a reimbursable grant. It was decided to have Mr. Conrad come in and present a proposal to Council in order to answer all questions and provide a detailed explanation for work to be done as well as pricing. The Borough has received a proposal of \$5,500 from SSM for preparation of the bid documents. It was decided to hold off on the bid documents for any of the sites that involve dig ups. Council was looking to have Mr. Conrad come in the 4<sup>th</sup> Thursday of September to present the above information to Council.

## **RECREATION - DAVID EGGERT**

**CPR** – Mr. Eggert told Council that he provided both leaders with CPR and First Aid training and that they are now certified.

**SUBSTITUTE PLAYGROUND LEADERS** - Mr. Eggert indicated that he was seeking approval to hire two substitute leaders for the summer to fill in where needed. **MOTION:** Rev. Bennethum made the motion to hire Katie Eggert and Justin Emerson as substitute playground leaders for the summer program; seconded by Mrs. Eshelman; Rev. Bennethum, Dr. Ivison, Mr. May and Mr. Simmons voted in favor; Mr. Eggert and Mr. Whitman abstained due to personal relationship with one of the employees.

## **EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY**

Mr. May indicated that he has received a beeper. Ms. Leinbach indicated that we really need to start working on our Emergency Operations Plan again but we still have not received the information needed from the school district. We will contact the County Emergency Operations Center to see if they have anything on file from the school district.

## **ZONING HEARING BOARD - ALLISON LEINBACH**

**GOODWILL DECISION** - We have received the Goodwill decision. It was noted that the Zoning Hearing Board put a limitation of 45 employees allowed in the building for all of the different uses. A letter will be sent to Goodwill with what Council feels is required at this time. At this time Council will not allow them to expand their use beyond what they are already doing. Council does not wish to appeal the decision at this time. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to send the letter to Goodwill stating that they are not allowed to expand their business beyond what they are already doing; seconded by Mr. Whitman; all were in favor and the motion carried.

## **MUNICIPAL LANDS - WARREN LUBENOW**

**TIMBER PRICING** – Mayor Lubenow presented a price scale for timber. At the current time the price for timber is so low that Council felt it would not be worth pursuing this option any further.

## **NEWSLETTER - ALLISON LEINBACH**

The next newsletter should be ready to go out within the next two weeks.

## **LIBRARY LIAISON - REV. BENNETHUM**

The library thanks the Borough for their contribution.

## **UNFINISHED BUSINESS**

**CODE ENFORCEMENT** - Mr. Simmons indicated that he has received a few complaints about the end property on Parkview. Mr. Daniels indicated that he would look into the matter.

**IPMC** - Ms. Leinbach indicated that she has purchased the 2009 International Property Maintenance Code and has issued it to Ms. London. Ms. London indicated that she felt that Council should not be the Board of Appeals for property maintenance issues. Mr. May indicated that at the next Council meeting he would like to appoint three Council members to serve on the board and the appoint the other four members of Council as alternates. Ms. London was in agreement with this option. This will be done by Resolution at the next meeting.

**CLAMBAKE** - All Council members interested in attending the clambake should let the Borough office know by July 6, 2009.

**NEW BUSINESS**

**SUBURBAN PETROLEUM PROPERTY** - It has come to the attention of the Borough that this property has been taken off of the Free and Clear Tax Sale on 6/17/09. The Tax Claim Bureau was contacted to find out why this was taken off of the list and further code enforcement may have to be done since the next tax sale is not until December.

**MAUREENA’S** - Ms. Leinbach indicated that Mareena’s has not paid their industrial surcharge and the bill is up over \$2,000. There was a discussion and it was decided to send them one more letter. It was noted that the Borough may need to have the shopping center install separate testing points and/or just bill the shopping center directly for industrial surcharge as one. If there is no satisfaction with the letter Mt. Penn Water will be asked to turn off their water.

**LANDLORD TENTANT REGISTRATION** - Reminder letters will be sent to those who have not yet registered. The deadline to register is June 30, 2009.

**EASTERN MILLWORK** – Another letter will be sent to Bullrushes to inform them that a zoning permit is required. They are holding public auctions at this location and it is not zoned for that use.

**GENERAL COMMENTS TO COUNCIL**

Mr. Whitman indicated that he was told that Wachovia Bank will be moving to the new Exeter Commons Shopping Center and therefore the Borough will have another vacant building.

**ADJOURNMENT**

Mr. Whitman 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 9:20 PM.

Respectfully submitted,

Susan D. Eggert, Borough Secretary