

**ST. LAWRENCE BOROUGH COUNCIL
MEETING MINUTES
THURSDAY, SEPTEMBER 10, 2009**

ATTENDANCE:

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

OTHERS IN ATTENDANCE:

Mr. CJ Levan, Van Cleef Engineering
Mr. Warren Lubenow, Borough Mayor
Ms. Allison A. Leinbach, Borough Manager
Mrs. Susan Eggert, Borough Secretary
Mr. William Daniels, Code Enforcement Officer
Mr. Nick Browne, Reading Eagle
Mr. Michael Fritz, Zoning Hearing Board Chairman
Mr. Matthew Gross, Borough Resident
Mrs. Marilyn Gross, Borough Resident
Mrs. Pamela Hilbert, Borough Resident

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

APPROVAL OF THE MINUTES: The minutes of the previous meeting, Thursday, August 13, 2009, were distributed to members of Council for review prior to the meeting. There were no questions, corrections or clarifications.

MOTION: Mrs. Joan Eshelman made the motion to approve and accept 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. **MOTION:** Mr. Cary Whitman made the motion to accept the treasurer's report as presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL: \$137,062.21 **LIQUID FUELS:** \$142,931.34 **SEWER:** \$31,656.82 **CAPITAL RESERVE:** \$108,351.45

APPROVAL AND PAYMENT OF THE BILLS: The bills requiring payment and ratification were presented to Council for review. There were no questions, corrections or clarifications. Bills requiring payment and/or ratification from the general fund total \$32,734.80; bills requiring payment and/or ratification from the sewer fund total \$28,623.95. **MOTION:** Mr. Whitman made the motion authorizing payment and/or ratification of bills from the general and sewer funds; seconded by Mrs. Eshelman; all were in favor and the motion carried.

PUBLIC HEARINGS

Marilyn Gross, 3606 St. Lawrence Avenue, Reading, PA 19606 - Mrs. Gross presented Council with pictures of the property at 3608 St. Lawrence Avenue. These pictures were given to Ms. London to use as testimony in the upcoming zoning hearing for the same property. Mrs. Gross indicated that she does not want to cause Mr. DiBiase any problems but that the parking at the property has become a real nuisance to her and the other surrounding neighbors. Mr. May indicated that the Zoning Hearing for Mr. DiBiase is scheduled for 9/22/09 at 6:00 PM and anyone wishing to appear and give testimony is welcome to do so. Mr. May also asked Ms. London to make everyone attending the Zoning Hearing aware that Council has received and listened to many complaints with regard to the parking situation at this property at their general public meetings.

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REPORT OF THE CODE ENFORCEMENT OFFICER - WILLIAM C. DANIELS

Mr. Daniels reported that he had sent out three letters regarding grass cutting and that all of the property owners have complied. Mr. Daniels also asked for clarification with regard to the handicap parking in the alley by the playground. Mr. May explained that at the last meeting Mayor Lubenow indicated that he had received a few complaints from the residents at the Lutz Apartments about the handicap parking spaces at the playground being marked NO PARKING. This was done last year because there was work being done on the playground and trucks needed access to the playground and the sign was never changed because there were problems with the way people were parking and blocking the only access onto the playground. There was a short discussion and Council had decided to allow handicap parking but to put a 3-hour time limit on the parking so that someone cannot park there for days at a time. Mr. Daniels thanked Mr. May for the clarification.

REPORT OF THE BOROUGH SOLICITOR - JOAN LONDON, ESQ – KOZLOFF STOUDT

ORD 399 - Ms. London indicated that Ord. 399 was advertised in the Reading Eagle on 8/27/09 which would adopt the 2009 International Property Maintenance Code with modifications that would be unique to the Borough as their property maintenance code. **MOTION:** Mr. Eggert made the motion authorizing adoption of Ord 399 which adopts the IPMC 2009 with modifications unique to the Borough for the purpose of property maintenance; seconded by Mrs. Eshelman; all were in favor and the motion carried.

ORD 400 – Ms. London indicated that Ord 400 was advertised in the Reading Eagle on 8/27/07 for the acceptance of Maci Way as a Borough roadway. Ms. London indicated that this dedication was previously done by way of Resolution but in order to file for liquid fuels with the state this must be done by Ordinance. **MOTION:** Mr. Eggert made the motion to adopt Ord 400 which accepts the dedication of Maci Way; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GOODWILL INDUSTRIES - Ms. London asked for authorization to retain Traffic Planning and Design to look at traffic flow and parking at the Goodwill Industries property. They were retained by the Borough to look at the DiBiase property. **MOTION:** Mr. Eggert made the motion to retain Traffic Planning & Design to look at the traffic flow and parking at the Goodwill Industries property; seconded by Mr. Simmons; all were in favor and the motion carried.

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

GOODWILL INDUSTRIES - Mr. Levan reported they Van Cleef did meet with Ludgate Engineering to discuss the plans for Goodwill however no new plans have been submitted as of 9/10/09.

STREET OPENING PERMITS - There was discussion about revising the street opening permit ordinance to include penalties for not pulling permits. There has been problems in the past with utilities not pulling permits and damage to properties getting repaired.

PERKIOMEN STORM WATER PROJECT - Mr. Levan indicated that there has not been any new development that he is aware of however Mr. Levan stated that apparently the vegetation was sprayed in that area because it is all dead. Ms. Leinbach indicated that she believed that MetEd does this as part of their maintenance.

REPORT OF THE BOROUGH MAYOR - WARREN LUBENOW

RESOLUTION 684-2009 - Mayor Lubenow presented Resolution 684-2009 setting the Halloween curfew and Trick or Treat Nights. This Resolution is identical to Exeter's to make it easier for the police department. The curfew will go into effect on Fri. Oct 23 and end on Sun. Nov 1 for 9:00 PM to 5:00 AM and Trick or Treat Nights will be Fri. Oct 30 and Sat. Oct 31 from 5:00 PM to 9:00 PM. **MOTION:** Mr. Whitman made the motion to adopt Resolution 684-2009 setting the Halloween curfew and Trick or Treat Nights; seconded by Mr. Eggert; all were in favor and the motion carried.

POLICE REPORTS - The police report from both July and August was presented to Council for review. Once again a large number of calls involving burglar alarms and Community Park appeared on the report. Mayor Lubenow was asked to have the police send reports of all false alarms (burglar alarms) so that we can bill the property owners after a set number of false alarms. Mrs. Eshelman voiced a concern about the Lausch Elementary School property. Mrs. Eshelman indicated that there are no lights at all in the parking area and the area around the front of the school which makes it extremely dark at night. There was a short discussion but no further action will be taken on this matter.

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POLICE CONTRACT NEGOTIATIONS - Mayor Lubenow indicated he and Mr. Eggert had meetings with both Central Berks Police and Exeter Township Police. Mayor Lubenow indicated that at the meeting with Central Berks there were representatives present from both Mt. Penn Borough and Lower Alsace Township. Both representatives will be going back to their municipalities to make sure that they would support St. Lawrence contracting for services. Ms. London indicated that she received word that the Police Commission, Mt. Penn Borough and Lower Alsace Township all support the Borough contracting for police services. Ms. London will contact Central Berks Police to have them submit the bid directly to her. Mayor Lubenow indicated that Exeter Township is still planning on basing their bid for police service on a percapita basis. Several Council members asked numerous questions and were concerned about the large increase from the last 3-year contract. Mayor Lubenow explained that he felt that the Borough was under paying for the services during the last 3-year contract. Several members of Council asked if there was a different way of calculating a price but Mayor Lubenow indicated that this was the way Exeter is choosing to calculate a contract price. There was a discussion and it was felt that both departments should have their bids in by the next Council meeting and Mr. May ask Ms. London to contact Central Berks Police and find out whether or not they could appear at the October meeting with a presentation with regard to the services that they would provide to the residents of St. Lawrence should Council decide to contract with them instead of Exeter Township. Ms. London indicated that she would be happy to do so.

BUDGET & FINANCE - ALLISON LEINBACH

RESOLUTION 688-2009 - Resolution 688 is a Resolution that authorizes signers for all bank accounts. The Resolution authorizes Mr. May, Ms. Leinbach, Mr. Eggert, Mrs. Eggert and Dr. Ivison as the authorized signers for all bank accounts. Every bank account requires two signatures with the exception of the recreation account. The Resolution also states that Mr. Eggert and Mrs. Eggert cannot sign the same check. **MOTION:** Mr. Whitman made the motion to adopt Resolution 688-2009 which authorizes the signers for all Borough bank accounts; seconded by Mr. Simmons; all were in favor and the motion carried.

SUSQUEHANNA BANK - Ms. Leinbach indicated that she would like to change banks from Metro (Commerce) to Susquehanna Bank. Since the merger of the two banks Ms. Leinbach report that she has had numerous problems with the online banking, bill payer and the ability to receive statements in a timely fashion and there has been no improvement after several months. At this time Ms. Leinbach would like to setup a Money Market General Account, Liquid Fuels, Capital Reserve, and Recreation as well as a regular checking account to act as a clearing account. All paperwork needs to be signed this evening to setup these accounts. **MOTION:** Mr. Eggert made the motion to sign all paperwork to setup the above accounts at Susquehanna Bank; seconded by Mr. Whitman; all were in favor and the motion carried.

STREETS & LIGHTS - JOAN ESHELMAN

RESOLUTION 686-2009 - Resolution 686-2009 is a resolution that allows Met Ed to upgrade two street lights; one is on Patton Street and the other is on St. Lawrence Avenue. **MOTION:** Mr. Eggert made a motion to adopt Resolution 686-2009 to upgrade two street lights; seconded by Mrs. Eshelman; all were in favor and the motion carried.

PLANNING COMMISSION - ALLISON LEINBACH

RESOLUTION 687-2009 - Resolution 687-2009 is a resolution to reappoint Mr. Thomas Beil to the Planning Commission for a term of five years to end 4/1/14. **MOTION:** Mr. Whitman made the motion to adopt Resolution 687-2009 reappointing Mr. Thomas Beil to the Planning Commission for a term of five years to end 4/1/14; seconded by Mr. Eggert; all were in favor and the motion carried.

GOODWILL INDUSTRIES - Ms. Leinbach reported that Goodwill Industries did appear before the Planning Commission in August. There was a lengthy discussion about the possibility of a waiver for land development. The Planning Commission strongly felt that there was a need to have plans signed, sealed and on file at the courthouse. After a lengthy debate Goodwill Industries agreed to an abbreviated version of a land development plan. In addition both parties agreed to have the two engineering firms work together to get everything resolved.

Ms. London was authorized to compile a letter of the items that the Borough would like addressed in the land development plan and forward that to Ludgate Engineering so that plans can be submitted and presented to the Commission at the September 23, 2009 meeting. As long as the plans can be approved at the September 23rd meeting they can be presented to Council for approval at the special meeting on September 24, 2009.

SANITARY SEWER - ALLISON LEINBACH/ROBERT MAY

SEWER RATE ORDINANCE - This was briefly discussed at last month's meeting and tabled until the September meeting. Everyone agreed that a rate increase is needed however the amount of the increase was in question. Ms. Leinbach created a table of increases which was handed out to every Council member at last month's meeting for consideration. It was decided to go with rate#7 which would be a 17.8% increase. The fee would be \$35 for the first 1,000 gallons and \$6.35 for every additional 1,000 gallons. There was a short discussion, Ms. Leinbach indicated that after doing some research she found that St. Lawrence's sewer rate was actually one of the lowest in the area. **MOTION:** Mr. Eggert made a motion authorizing Ms. Leinbach to advertise Ordinance 401 setting the sewer rate at \$35 for the first 1,000 gallons and \$6.35 for every additional 1,000 gallons; seconded by Mrs. Eshelman; all were in favor and the motion carried.

SEWER REHABILITATION PROJECT - Ms. Leinbach presented the bids specs submitted by Mr. Kevin Conrad, SSM, for the next phase of the sewer project. She indicated that Mr. Conrad was looking for authorization to advertise those bid specs to be bid on by section and line items. All bids are good for a 6 month period. **MOTION:** Mr. Eggert made the motion authorizing Ms. Leinbach/Mr. Conrad to advertise those bid specs; seconded by Mrs. Eshelman; all were in favor and the motion carried.

TRASH & RECYCLING - CARY G. WHITMAN

SKUNK PROBLEM - Mr. Whitman expressed his concern about the way residents are storing their trash. This is going to be addressed in the trash and recycling ordinance which can now be completed since we now have a tenant/landlord registration ordinance in place. This will also be advertised in the newsletter.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

Ms. Leinbach indicated that the Borough office is compiling a list of the elderly people in the Borough that may need help or assistance during a snow storm or prolonged illnesses.

ZONING HEARING BOARD - ALLISON LEINBACH

REPORT OF THE CHAIRMAN - Mr. Michael Fritz, Chairman of the Zoning Hearing Board appeared before Council this evening. Mr. Fritz indicated that the Zoning Hearing Board needs an alternate. Mr. Fritz indicated that he has met with Mr. Kevin Houck, a long time resident of the Borough and interested party. Mr. Houck would be willing to serve as an alternate to the board. Mr. Fritz indicated that he has brought Mr. Houck up to date on the hearing scheduled for 9/22/09. **MOTION:** Mr. Whitman made the motion to appoint Mr. Kevin Houck to the Zoning Hearing Board as an alternate by way of Resolution 685-2009; seconded by Mr. Eggert; all were in favor and the motion carried

ZONING HEARING - Ms. Leinbach indicated that the hearing for Mr. DiBiase is scheduled for 9/22/09. Mr. DiBiase is seeking a variance for parking at his property located at 3608 St. Lawrence Avenue. All notifications to the surrounding residents have been mailed. The hearing is scheduled to begin at 6:00 PM.

LIBRARY LIAISON - D. MICHAEL BENNETHUM

Rev. Bennethum told Council that the Library is currently concerned about their state funding. The auction fundraiser is scheduled for Fri. Sept 11.

UNFINISHED BUSINESS

RESIDENT REQUEST FOR A 4-WAY STOP AT POPLAR & LYNN - Mr. Levan indicated that a traffic study was performed at this location and does not meet the criteria for a 4-way stop. Mrs. Eggert was asked to send a letter to the resident informing them of the results of the traffic study.

PRIMARY FIRE COMPANY - Mr. Whitman expressed his concern for fire protection. Mr. Whitman asked whether or not it may be time to break ties with Reiffton Fire Company since Reiffton and Stonersville have merged to become The Exeter Township Fire Department and wondered whether or not at some point in time Exeter Township may want to charge the Borough for fire protection. Mr. May indicated that this is certainly something for Council to consider when choosing a primary fire company and thanked Mr. Whitman for bringing this to Council's attention.

GENERAL COMMENTS TO COUNCIL

WEEDS IN GUTTER - Mr. Whitman reported that he noticed all along St. Lawrence Avenue weeds growing up between the street and the sidewalk and wanted to know if that was the Borough's responsibility or the state. St. Lawrence Avenue is a state highway and therefore should be the responsibility of the state.

ADJOURNMENT - MOTION: Mr. Eggert 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 9:07 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan D. Eggert, Borough Secretary