

**BOROUGH OF ST. LAWRENCE
MEETING MINUTES
WEDNESDAY, NOVEMBER 10, 2010**

ATTENDANCE:

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

OTHERS IN ATTENDANCE:

Ms. Allison A. Leinbach, Borough Manager
Mrs. Susan D. Eggert, Borough Secretary
Ms. Pamela Stevens, Borough Engineer, SDE
Ms. Joan London, Borough Solicitor, Kozloff Stoudt
Mr. William C. Daniels, Code Enforcement/Zoning Officer
Mr. Michael Fritz, Borough Mayor
Mr. Stephen DeLucas, Reading Eagle
Ms. Pamela Hilbert, Resident
Mrs. Marilyn Gross, Resident
Mr. Brian Kubularcik, Metropolitan Development

CALL TO ORDER: The meeting of the St. Lawrence Borough Council was called to order at 7:30 PM by Council President, Mr. Robert J. May.

APPROVAL OF THE MINUTES: The minutes of the Special Meeting and the Regular Monthly meeting held on Thursday, October 14, 2010, were distributed to the 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. James Simmons; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was distributed to the members of Council for 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. David Eggert made the motion to approve the treasurer's report as presented and file it for audit; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GENERAL: \$137,595.51 **SEWER:** \$61,201.65 **CAPITAL RESERVE:** \$152,263.08 **LIQUID FUELS:** \$178,099.73

APPROVAL AND PAYMENT OF THE BILLS: The bills requiring payment and ratification from both the general and sewer funds were presented to Council for review. There were no questions or clarifications. Bills requiring payment and ratification from the general fund totaled \$74,998.63 and bills requiring payment from the sewer fund totaled \$3,387.42. **MOTION:** Mr. James Simmons made the motion approving payment and ratification of all bills from both funds as presented; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE BOROUGH ENGINEER – PAMELA STEVENS, SDE

PLANNING COMMISSION - Ms. Stevens noted that the Planning Commission heard two presentations at their last meeting. She noted that Mr. Leinbach contacted the Borough Office and indicated that he was putting any of his plans on hold for now and will back in touch if he wishes to move forward with his project. The other presentation was given by Mr. Weeber with regard to the Beil property. Mr. Beil has filed an application for a zoning variance and we are currently awaiting a hearing date. Mrs. Eggert prepared a letter addressed to the Borough Council from the Planning Commission indicating their recommendations to Council and the Zoning Hearing Board. This letter was reviewed in detail.

ST. LAWRENCE BOROUGH COUNCIL

PERKIOMEN STORMWATER PROJECT – Mr. DiDonna and Ms. Stevens indicated that there should be an executive session to discuss possible litigation with regard to this matter.

PATTON STREET – Ms. Stevens indicated that she, Ms. Staudt from TPD and Mr. Lubenow went out to look at the site. After review of the site, a sight distance problem was noted and definitely needs to be addressed. Ms. Staudt prepared a letter with regards to her recommendations in this matter. This letter was discussed and reviewed in detail. It was determined by TPD that there needs to be no parking on both north and south Patton Street for a distance to allow for cars to pass at the crest of the hill. Mr. May asked that the Borough office notify the homeowners on Patton Street of this recommendation by Traffic Planning & Design and inform them that this will be discussed further at the December meeting.

REPORT OF THE BOROUGH SOLICITOR – DAVID DIDONNA, KOZLOFF STOUDT

ORD 408 – Ordinance 408 was authorized for publication at the October meeting. Ordinance 408 designating said snow emergency routes throughout the Borough. There was no discussion or changes made to the previously reviewed Ordinance. **MOTION:** Mr. Eggert made the motion to adopt Ordinance 408 which designates snow emergency routes in the Borough; seconded by Mr. Lubenow; all were in favor and the motion carried.

ORD 409 – Ordinance 409 was authorized for publication at the October meeting. Ordinance 409 names the alley between Elm Street and Poplar Drive, “Boro Way”. **MOTION:** Mr. Eggert made the motion to adopt Ordinance 409 which names the alley between Elm Street and Poplar Drive, “Boro Way”; seconded by Mr. Cary Whitman; all were in favor and the motion carried.

DRAFT PEDDLING AND SOLICITATION ORD – A draft peddling and solicitation ordinance was prepared and distributed for review. Ms. Leinbach indicated that we were asked by the District Justice to update the Ordinance since it was from the 1960’s. Mr. DiDonna indicated that the Ordinance would be enforceable. **MOTION:** Mr. Eggert made the motion authorizing Ms. Leinbach to advertise the peddling and solicitation Ordinance for adoption in December; seconded by Mrs. Eshelman; all were in favor and the motion carried.

OLD BOROUGH HALL DEED – Mr. DiDonna indicated that he has a corrected deed and would need authorization to file the deed. Mr. Lubenow asked what the expense was to do this; Ms. Leinbach indicated that this was an error at the selling of the old Borough Hall and that we are not paying any expenses related to this correction. **MOTION:** Mr. Eggert made the motion authorizing the Solicitor to execute the filing of the corrected deed; seconded by Mrs. Eshelman; all were in favor and the motion carried.

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

Mr. Daniels indicated that all of the snow emergency route signs have been ordered. Mr. Daniels also indicated that the new solar street light on Orchard Court has been working fine with no problems.

REPORT OF THE BOROUGH MAYOR – MICHAEL FRITZ

Mayor Fritz told Council that he has met with the chief and they had a very productive meeting. The written report was distributed to the members of Council for their review. Mayor Fritz also indicated that he met with Mr. Styer, the resident from Bingaman Street who came to the October meeting to inquire about no littering signs for Bingaman Street, and Mr. Styer appreciated the visit. Mrs. Eshelman asked Mayor Fritz to convey to the chief that the police did a great job and were very visible during Halloween. Mr. Simmons asked if Mayor Fritz could ask the police if they could perhaps better time the speed traps on Parkview Road; between 3:30 PM and 5:00 PM weekdays would be better than a Sunday morning.

BUDGET & FINANCE - ALLISON LEINBACH

2011 PROPOSED BUDGET – The proposed budget was reviewed in detail. The proposed ordinance does not reflect any tax increase. The millage will stay the same at 5.30 mills. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the proposed budget for adoption in December with a tax millage of 5.30; seconded by Mr. Whitman; all were in favor and the motion carried.

STREETS & LIGHTS – JOAN EHELMAN

PROPOSED SNOW PLOWING CONTRACT – Daniels Ground Maintenance submitted a proposal for snow plowing for the upcoming winter season. The proposal was reviewed in detail. Ms. Leinbach and Mr. Daniels indicated that there is a need to purchase a new salt spreader by either the Borough or Mr. Daniels. If Mr. Daniels needs to purchase the spreader the rate for plowing will be higher and a retainer will be necessary. There was a short discussion and it was decided that it would be much more cost effective for the Borough to purchase the spreader since it can be purchased for a better price and allow Mr. Daniels, as a Borough employee to operate the spreader. The Borough can purchase the salt spreader at the price of \$4,100. **MOTION:** Mr. Lubenow made the motion authorizing the purchase of a stainless steel frame salt spreader at the price of \$4,100; seconded by Mr. Eggert; all were in favor and the motion carried. **MOTION:** Rev. Bennethum made the motion to accept Mr. Daniels proposal for snow plowing using the Borough owned salt spreader at a rate of \$65 per hour for plowing and \$70 per hour for salt spreading; seconded by Mr. Whitman; all were in favor and the motion carried.

SANITARY SEWER - ALLISON LEINBACH

WINDY WILLOWS – Mr. Brian Kubularchik, Metropolitan Development, presented before Council to discuss sewer issues. Mr. Kubularchik presented a few years back with a plan for a development called Windy Willows. Windy Willows will actually span throughout three municipalities; Lower Alsace, Alsace and Exeter. Even though Windy Willows is not in St. Lawrence the sewer will have to run through St. Lawrence's collection system before it enters back into Exeter's system. Mr. Kubularchik is looking for the Borough to sign off on the sewer module that needs to be filed with DEP. Mr. Kubularchik explained the CAP to Council however in addition to the moratorium on connections placed with DEP St. Lawrence has its own moratorium on connections upstream of this line. It is the Borough's contention that Exeter's sewer backs up in this pipe and therefore causes the Borough to be charged twice for process of sewer. Mr. Kubularchik indicated that it was his understanding that St. Lawrence completed a huge sewer rehabilitation project on this line; however Council noted that Exeter has not done the work on their lines and are in fact one year behind schedule on that project. There was a lengthy discussion and it was decided that the developer should contact the Borough Solicitor to come up with a memorandum of understanding with regards to connections on this line. If a memorandum could be established the Borough would sign off on the planning module but put tight restrictions as to the number of connections allowed without the work on Exeter's system being completed. Everyone agreed and Mr. Kubularchik thanked Council for their time. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to sign off on the planning module for Windy Willows as long as the memo of understanding on the number of connections to be sent with the module; seconded by Mr. Simmons; all were in favor and the motion carried.

TRASH & RECYCLING – CARY WHITMAN

THANKSGIVING WEEK TRASH PICKUP – Trash pickup for the week of Thanksgiving is on Friday Nov 26. This will be the last change for the year. This has been advertised in the newsletter twice and on the sign out front for the last few weeks.

ZONING HEARING BOARD

APPLICANT FOR THE ZONING HEARING BOARD – Ms. Lynn Leinbach has shown interest on serving on the Zoning Hearing Board. There is a vacancy on the board since Mr. Fritz will have to step down because he took the Mayor position. Ms. Leinbach has been a long time resident of the Borough, grew up here and has moved back to the Borough approximately 5 years ago, served on Mt. Penn Borough Council as well as a board member of the Antietam Valley Municipal Authority. Mr. May indicated that he felt that Ms. Leinbach would be a great choice to fill the opening. Mr. Lubenow asked whether or not there could be any conflicts since her sister is the Borough Manager; however Mr. May indicated that there are relatives that serve on Borough Council. Ms. Leinbach, the Borough Manager, indicated that she did not see that there would be any problems. **MOTION:** Mr. Whitman made the motion to appoint Ms. Lynn Leinbach to the Zoning Hearing Board to serve out Mr. Fritz's term which will end on 12/31/10; seconded by Mrs. Eshelman; all were in favor and the motion carried.

NEWSLETTER - ALLISON LEINBACH

The next newsletter is scheduled to go after the December Council meeting.

GENERAL COMMENTS TO COUNCIL

WOLFE, DYE & BLEACH – Mr. Simmons indicated that there were open doors again at the Wolfe, Dye & Bleach building on Parkview Road. The police were made aware and they will be sent another letter indicating the need to secure that building.

MARINE CORP BIRTHDAY – Mr. Eggert wanted to wish the Marine Corp a Happy Birthday. Today is the Marine Corp’s 235th birthday.

EXECUTIVE SESSION

At this time Mr. May asked that Council go into executive session to discuss possible litigation. **MOTION:** Mr. Eggert made the motion to enter into executive session to discuss possible litigation; seconded by Mr. Whitman; all were in favor and the motion carried. Council entered into executive session at 8:43 PM. Council came out of executive session at 9:16 PM.

GRANT OPPORTUNITY

Ms. Leinbach indicated that Ms. Staudt from Traffic Planning & Design made her aware of grant money that is currently available to do preemptive devices and LED traffic signal lighting. For a price of \$2,000 she will be able to fill out the grant application on behalf of the Borough. **MOTION:** Mr. Eggert made the motion authorizing Ms. Staudt to go ahead with the grant application for a price of \$2,000; seconded by Mr. Lubenow; all were in favor and the motion carried.

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 9:18 PM.

Respectfully submitted,
Signed/Susan D. Eggert

Susan D. Eggert, Secretary