

**BOROUGH OF ST. LAWRENCE
SPECIAL MEETING MINUTES
THURSDAY, OCTOBER 14, 2010**

ATTENDANCE:

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

OTHERS IN ATTENDANCE:

Ms. Allison A. Leinbach, Borough Manager
Mrs. Susan Eggert, Borough Secretary
Mr. William Daniels, Code Enforcement/Zoning Officer
Ms. Carole Duran, Reading Eagle
Mr. Michael Fritz, Resident and Candidate for Mayor
Mr. Gregory Zawilla, Resident and Candidate for Mayor

CALL TO ORDER: The special meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May, at 6:30 PM. The meeting is being held for the purpose of interviewing for the open seat of Mayor with hopes of appointing a Mayor at the regular Council meeting scheduled to begin at 7:30 PM.

INTERVIEWS FOR MAYOR

MICHAEL FRITZ – Mr. Fritz submitted a short resume to the Council for review. Mr. Fritz told Council that he has been a Borough resident for 21 years was interested in getting more involved and felt that he had a lot to offer to the Borough. He felt that the Mayor position is more of a PR type position and felt that he was a good people person and could define the role as an individual. Mr. Fritz has done a lot of community service type activities for Exeter Township and was involved with the building of Happy Landings.

GREGORY ZAWILLA – Mr. Zawilla also submitted a short resume to the Council for review. Mr. Zawilla told Council that he has been a resident of the Borough for 10 years and was interested in becoming more involved in the community. Mr. Zawilla is a Reading Police officer since 1999 and has served on the fraternal order of police as a trustee for the last 6 years.

Council thanked both gentlemen for their interest. Mr. May indicated that Council would start their regular meeting at 7:30 PM and the first order of business would be to appoint a new Mayor.

ADJOURNMENT: MOTION: Mr. David Eggert made the motion to adjourn; seconded by Mr. Warren Lubenow; all were in favor and the motion carried. The special meeting of the St. Lawrence Borough Council adjourned at 6:54 PM.

Respectfully submitted,

Signed/Susan D. Eggert

Susan D. Eggert
Borough Secretary

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Mr. James Simmons, Councilman
Mr. Warren Lubenow, Councilman
Mr. Cary G. Whitman, Councilman

OTHERS IN ATTENDANCE:

Mr. William Daniels, Code Enforcement/Zoning Officer
Ms. Allison Leinbach, Borough Manager
Mrs. Susan D. Eggert, Borough Secretary
Ms. Joan London, Borough Solicitor, Kozloff Stoudt
Ms. Pamela Stevens, Borough Engineer, SDE
Ms. Carole Duran, Reading Eagle
Mr. Michael Fritz, Borough Resident (Candidate for Mayor)
Mr. Gregory Zawilla, Borough Resident (Candidate for Mayor)
Ms. Melissa Ruffner, Borough Resident
Mr. Todd Endy, Borough Resident
Mr. Chris Jordan, Exeter Township Fire Department
Mr. Richard Parshley, Borough Resident
Mr. Norman Flamm, Property Owner

CALL TO ORDER: The regular meeting of the St. Lawrence Borough Council was called to order by Council President, Mr. Robert J. May, at 7:30 PM. Mr. May turned the meeting over to Vice President, Mr. David W. Eggert, immediately to be the acting Mayor until one could be appointed. Mr. Eggert took over the meeting.

OPEN MAYOR SEAT: There was no discussion. **MOTION:** Mr. Warren Lubenow made the motion to appoint Mr. Michael Fritz as the Mayor; seconded by Mr. James Simmons; Mr. Simmons and Mr. Lubenow voting in favor; Mr. Eggert voting nay; Mr. Whitman and Mrs. Eshelman did not vote; the motion carried with a vote of 2-1. Mr. Fritz is now the new Mayor of the Borough of St. Lawrence. At this time Council took a short recess to swear the Mayor into office. The Mayors term will expire the first day of the reorganization meeting of 2012.

Mr. Eggert turned the meeting back over to Mr. May. Mr. May thanked both Mr. Fritz and Mr. Zawilla for coming in this evening and expressing interest in serving the Borough.

TREASURER'S REPORT: The treasurer's report was distributed to all members of Council for review. There were no questions and Ms. Leinbach indicated that the treasurer's report could be approved as presented and filed for audit. **MOTION:** Mr. Warren Lubenow made the motion to approve the treasurer's report as presented and file it for audit; seconded by Mr. Simmons; all were in favor and the motion carried.

GENERAL: \$198,846.40 **SEWER:** \$180,152.31 **CAPITAL RESERVE:** \$139,251.96 **LIQUID FUELS:** \$178,051.44

APPROVAL & PAYMENT OF THE BILLS: The list of bills requiring payment and ratification were presented to Council for review. Bills requiring ratification and payment from the general fund totaled \$89,152.60. Bills requiring payment from the sewer fund totaled \$64,145.58. **MOTION:** Mr. Eggert made the motion authorizing payment and ratification of all bills presented; seconded by Mrs. Joan Eshelman; all were in favor and the motion carried.

ST. LAWRENCE BOROUGH COUNCIL

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PAYMENT APPLICATION #3 – Mr. Rehab submitted payment application #3 totaling \$211,649.19 after 10% retainage. This was reviewed and approved by SSM. **MOTION:** Mr. Eggert made the motion authorizing payment of payment application #3 to Mr. Rehab totaling \$211,649.19; seconded by Mr. Simmons; all were in favor and the motion carried.

PUBLIC HEARINGS

CHRIS JORDAN, DEPUTY CHIEF EXETER TOWNSHIP FIRE DEPARTMENT – Mr. Jordan presented to Council with a quarterly report. Mr. Jordan reported that they have ran 36 calls into the Borough so far this year. Mr. Jordan also told Council that the Exeter Township Fire Department has recently been awarded a \$177,000 Safer Grant for the purpose of personnel, recruitment, and help fund their incentive program. There was a short discussion about false alarms and Mr. May asked if they could be reported to the Borough so that we can bill for them. Mr. Jordan indicated that he would be willing to do that however the alarm would have to be malicious and most alarms are not. Council congratulated Mr. Jordan on the grant.

NORMAN FLAMM – Mr. Flamm owns the property at 3550 St. Lawrence Avenue. Mr. Flamm indicated that he ran his business, Micro Air Computers, at that property however has since moved the business to another location and uses this property for storage for the business. Mr. Flamm indicated that he reactivated the sign and was sent a letter that it was in violation of the zoning ordinance which he stated he was unaware. Mr. Flamm presented an idea to the Borough Council on how he could reactivate the time and temperature sign and help benefit the residents of the Borough at the same time. Mr. Flamm proposed changing the panel advertising to free electronic recycling. Ms. London, the Borough Solicitor, indicated that any change in the sign from previous would require a zoning variance. There was a short discussion; it was decided that he is entitled to have what he had before for his sign however advertising for a business that is not at the property location would require him to go to the Zoning Hearing Board for a variance. Council told Mr. Flamm that he could keep the bottom sign there for now and has 90 days to apply to the Zoning Hearing Board.

JAMES STYER – Mr. Styer is a resident on Bingaman Street. Mr. Styer asked whether or not no littering signs could be placed on Bingaman Street. There used to be signs posted however they have disappeared and trash has become a major problem. Mr. Daniels said that he will check to see if we have any signs and if not he will order some. We will have to check with the ordinance to determine fines. Council asked that the Mayor speak with the police department about enforcement of littering once the signs are posted.

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

Mr. Daniels indicated that several courtesy letters were sent with regard to weeds. Also Mr. Daniels indicated he caught someone soliciting without a permit, the gentleman had a permit from Exeter Township and did not realize that he was in St. Lawrence Borough. The gentleman did come in and get a permit. The solar street light on Orchard Court is working well. The pot hole on Trout Street has been repaired, the pot holes in the alley by the Lutz Apartments have been cemented in and the grate on Walnut Street has been reinforced.

REPORT OF THE BOROUGH ENGINEER - PAMELA STEVENS, SDE

Ms. Stevens presented her report to Council for review. The following items were discussed.

UCC FEE SCHEDULE - Ms. Stevens indicated that Ms. Leinbach and herself have had discussions and are currently working on a new UCC fee schedule. It was thought that commercial property permits should be based on time and material. Of note, the Borough does not make any money on permits. After discussion, it was decided that Ms. Stevens, Ms. London and Ms. Leinbach would work together to create a fair fee schedule for residential permits. It was also discussed that a filing fee, nonrefundable, which would include the initial plan review and number of inspections be charged and would be applied to the permit if the project moves forward. **MOTION:** Mr. Eggert made a motion to set the commercial permit fees at time and material with an initial fee of \$100 which would be credited to the permit as well as a signed memo of understanding for reimbursement on other related fees; seconded by Mrs. Eshelman; all were in favor and the motion carried. This will be done by way of Resolution 709-2010

PERKIOMEN STORMWATER SWALE – Ms. Stevens, Ms. London, Ms. Leinbach and Mr. Daniels went out to revisit the site in question to see if there has been any change to the location since the heavy rainfall. It was noted that there has been additional deterioration to the parking lot at the apartments. Ms. London indicated that she has spoken to Mr. Peter Lesser who is representing the Shopping Center and they will be taking the lead on this project, removal of debris and re-routing the water. Ms. London indicated that she was told that contractors will be doing the work within the next two weeks and the remediation of the area is being looked at, at this time. The attorney is looking at their legal options as far as the garden apartments, PennDOT, Hess, and Molnari's are concerned since they contribute stormwater to this location as well. Mr. Lubenow questioned Ms. London on the amount of time that this is going to take because he does not want to see this linger on like other enforcements throughout the Borough. Ms. London indicated that the attorney is looking to do the remediation in the spring.

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

DIBIASE APPEAL – The hearing was held on Oct 4 in front of Judge Spreicher. Ms. London is expecting to hear the decision before the next Council meeting.

ORD 405 – Ordinance 405 prohibits vehicles over 10,000 lbs on Parkview Road, Walnut Street and Brumbach Street. This was presented to Council for review last month and was advertised in the newspaper prior to the meeting this evening. **MOTION:** Mr. Eggert made the motion to adopt Ordinance 405 prohibiting vehicles over 10,000 lbs on Parkview Road, Walnut Street, and Brumbach Street; seconded by Mr. Lubenow; all were in favor and the motion carried.

ORD 406 FIRE LANES – Ordinance 406 allows the Borough to designate fire lanes and establish provisions for maintenance of the said fire lanes by the property owners. **MOTION:** Mr. Eggert made the motion to adopt Ordinance 406 establishing designated fire lanes; seconded by Mr. Simmons; all were in favor and the motion carried.

SNOW EMERGENCY ROUTES – Ms. London prepared a draft ordinance for establishing snow emergency routes. This was discussed in detail last month. The ordinance will also allow for placement of signs on the set streets. There were questions in regard to Section 5c which requires vehicles to have chains; it was decided to eliminate that section. **MOTION:** Mr. Eggert made the motion authorizing Ms. Leinbach to advertise the ordinance for adoption in November and will be known as Ordinance 408 establishing snow emergency routes; seconded by Mrs. Eshelman; all were in favor and the motion carried.

NO PARKING AREAS – This will be known as Ordinance 407 establishing no parking zones. There were precise measurements taken on Ganster Street. This was discussed last month and letters were sent to residents. **MOTION:** Mr. Eggert made the motion authorizing Ms. Leinbach to advertise the above Ordinance for adoption in November; seconded by Ms. Eshelman; all were in favor and the motion carried. After this motion was made and passed a resident asked to address Council. Mr. Todd Endy who is a resident on Patton Street voiced a complaint about the no parking on the south side of Patton. Mr. Endy indicated that if there were to be no parking on the south side of Patton Street there would be no room for his company to park. There was a discussion and Ms. Leinbach indicated that there are issues with Patton Street and some very close near accidents because of the speed at which people travel on this road as well as sight distance problems coming over the hill as well as school buses making the turn onto Patton from Parkview/Walnut. There was a short discussion and it was decided to revisit this particular area. **MOTION:** Mr. Eggert made the motion to rescind his previous motion and table this ordinance until this area can be investigated further; Mr. Eggert, Mr. Lubenow, Ms. Leinbach and Ms. Stevens along with Mr. Endy will look at the area in question and try to come up with a solution; Ms. Leinbach will also call Ms. Staudt from Traffic Planning & Design to get her insight; seconded by Mr. Simmons; all were in favor and the motion carried.

BORO WAY – Ordinance 409 establishing a name for the alley between Elm Street and Poplar Drive to be known as Boro Way. **MOTION:** Mr. Eggert made the motion to name the alley between Elm Street and Poplar Drive Boro Way by way of Ordinance 409; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE BOROUGH MAYOR

The police report was reviewed. Mr. Michael Fritz was appointed Mayor earlier in the evening. This appointment was done by Resolution 708-2010.

BUDGET & FINANCE - ALLISON LEINBACH

BUDGET MEETING – The budget meeting scheduled for Monday, October 18, was cancelled. This will be rescheduled for Monday, November 8, 2010 at 7:00 PM.

FOREIGN FIRE INSURANCE – Ms. Leinbach told Council that the Foreign Fire Insurance money needs to be disbursed in November. The total amount of the check was \$12,361.04. Mr. May indicated that in the past the money has been divided 50/50 between Reiffton Fire Company and Mt. Penn Fire Company. Last year however 100% of the money went to Mt. Penn. Mr. May asked if Council wanted to give all of the money to Exeter Township Fire Department this year to even things out. There was no discussion. **MOTION:** Mr. Lubenow made the motion to give the entire amount of the foreign fire money to Exeter Township Fire Department; seconded by Mr. Simmons; Mr. May, Mr. Lubenow and Mr. Simmons voted in favor; Mr. Whitman voted nay; Mr. Eggert abstained due to a personal relationship with Mt. Penn Fire Company and Mrs. Eshelman did not vote.

STREETS & LIGHTS - JOAN EHELMAN

SOLAR LIGHT – The solar light on Orchard Court is working well.

MARYWOOD STREET LIGHTS - The poles will be going in sometime next week on Levan St so that the new street lights can be placed.

PLANNING COMMISSION - ALLISON LEINBACH

There have been no plans submitted as of yet however Ms. Leinbach indicated that she believes there are going to be one or two zoning hearing applications for variances however the Borough has not received them as of yet. Mr. May directed Mrs. Eggert to call the applicants to find out whether or not they are planning to submit applications and give them a deadline of Monday, Oct 18.

LIBRARY LIAISON - WARREN LUBENOW

Mr. Lubenow told Council that the Library is concentrating on fundraising. There is a dinner on Oct 22 at the Reading Country Club if anyone is interested in going. If you are interested let Mr. Lubenow know and perhaps everyone could sit together.

NEW BUSINESS

PEDDLING & SOLICITATION ORDINANCE – Ms. Leinbach asked that Council authorize Ms. London to look at the peddling and solicitation ordinance. The ordinance needs to be updated. At this time the Borough charges \$10 per day to solicit.

PENNDOT RESPONSE – Ms. Leinbach told Council that we did receive a letter back in response to the letter that was sent to PennDOT about the detour for the bridge closure. This was forwarded to all Council members previously however Ms. Staudt from Traffic Planning & Design suggested that the Borough setup a meeting with the District 5 manager to discuss further. The letter basically stated thanks for your suggestions but will be using state highways only.

NOVEMBER MEETING – Mrs. Eggert reminded Council that November’s meeting will be Wednesday, Nov 10 instead of Thursday, Nov 11 due to the federal holiday.

INCOMING & OUTGOING COMMUNICATIONS

INVITATIONS TO DINNER- Invitations to the Berks County Association of Boroughs Fall 2010 Dinner Meeting. Anyone interested in attending should let Mrs. Eggert know so that reservations can be made by October 25.

ADJOURNMENT – MOTION: Mr. Eggert made the motion to adjourn; seconded by Mr. Simmons; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 9:14 PM.

Respectfully submitted,
Signed/Susan D. Eggert
Susan D. Eggert
Borough Secretary
ST. LAWRENCE BOROUGH COUNCIL
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