

**BOROUGH OF ST. LAWRENCE
MEETING MINUTES
THURSDAY, JANUARY 13, 2011**

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 Eggert, Borough Secretary
Ms. Joan London, Borough Solicitor (KS)
Ms. Pamela Stevens, Borough Engineer (SDE)
Mr. William Daniels, Code Enforcement/Zoning Officer
Mr. Kevin Conrad, SSM
Mr. Rick Davidson, Resident
Ms. Carole Duran, Reading Eagle

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

2011 APPOINTMENTS – Mr. May read aloud the list of appointments for 2011. Appointment of the Borough Manager/Treasurer Allison Leinbach, Chief Administrative Officer Allison Leinbach, Borough Secretary Susan Eggert, Borough Solicitor Kozloff Stoudt, Borough General Engineer Systems Design Engineering, Borough Traffic Engineer Traffic Planning and Design, Borough Sewer Engineer Spotts, Stevens & McCoy, Building Code Official Systems Design Engineering, Borough Zoning Officer William Daniels, Borough Assistant Zoning Officer Allison Leinbach/ Susan Eggert and System Design Engineering, Code Enforcement Officer William Daniels, Assistant Code Enforcement Officer Allison Leinbach, Susan Eggert, and System Design Engineering, UCC Plumbing & Mechanical Inspector Brian Sands, Sewage Enforcement Officer Spotts, Stevens & McCoy, Borough Auditor Mallie Falconeri and Official Bank of Depository PNC Bank. There was no discussion. **MOTION:** Mr. Warren Lubenow made the motion to make the appointments as read; seconded by Mr. Cary Whitman; Mr. May, Mr. Lubenow, Mrs. Eshelman, Mr. Simmons, Rev. Bennethum and Mr. Whitman voting in favor; Mr. Eggert voting in favor of all of the appointments except Borough Secretary Susan Eggert for which Mr. Eggert abstained due to a personal relationship; none were opposed; the motion carried.

APPROVAL OF THE MINUTES: The minutes from the previous meeting which was on December 9, 2010 were presented to Council for review. There were no questions, corrections or clarifications to the minutes. **MOTION:** Mrs. Joan Eshelman made the motion to approve the minutes as presented; seconded by Mr. Eggert; all were in favor and the motion carried.

TREASURER'S REPORT – The treasurer's report for the month ending December 2010. Ms. Leinbach indicated that this report has already been filed for audit because the auditors were in to look at the financial statements last week. There were no questions, corrections or clarifications to the treasurer's report. **MOTION:** Mr. Eggert made the motion to approve the treasurer's report was presented; seconded by Mr. James Simmons; all were in favor and the motion carried.

GENERAL: \$94,140.89 **SEWER:** \$98,816.00 **LIQUID FUELS:** \$178,191.96 **CAPITAL RESERVE:** \$321,071.09

APPROVAL AND PAYMENT OF THE BILLS: The bills requiring ratification and payment for the remainder of 2010 were presented for review as well as bills occurring in 2011 up to and including 1/13/11. These bills were reviewed and there were no questions, corrections or clarifications. Bill requiring ratification and payment in 2010 from the general fund totaled \$11,761.03 and from the sewer fund \$13,398.52. Bills requiring payment and ratification in 2011 from the general fund totaled \$90,567.48 and from the sewer fund \$9,013.66. **MOTION:** Mrs. Eshelman made the motion authorizing payment and ratification from both the general and sewer funds for 2010 and 2011; seconded by Mr. Eggert; all were in favor and the motion carried.

PUBLIC HEARINGS, PETITIONS:

RICK DAVIDSON – 204 Poplar Drive. Mr. Davidson presented to Council to ask questions about the bridge closure that he read about in the newsletter in September. Mr. Davidson asked whether or not this was still going to occur since he did not see anything about it in the December issue. Ms. Leinbach explained that we had no new information from PennDOT to report at that time and therefore nothing was printed in the newsletter. Ms. Leinbach did tell Mr. Davidson and Council that she received a letter early this week informing the Borough that there is going to be a preconstruction meeting on Tues. Jan 18 in Allentown. Ms. Leinbach indicated that Traffic Planning and Design specifically Ms. Christy Staudt will be attending that meeting on the Borough's behalf and keep us informed of the outcome. Ms. Leinbach also indicated that a newsletter will most likely be sent out earlier than usual so that this information can be relayed to the residents. Ms. Leinbach has indicated that PennDOT gave February 1, 2011 as an approximate start date. Mr. Davidson thanked Council and Ms. Leinbach for the information.

REPORT OF THE BOROUGH SEWER ENGINEER — KEVIN CONRAD, CLIENT REPRESENTATIVE, SSM

Mr. May asked Mr. Conrad to come to the meeting tonight to give a presentation on the work that was done to the sewer system with the most recent work just being completed. Mr. Conrad explained to Council that Mr. Rehab has 99% of the contracted work completed. A summary of the work completed was given and included relining of main sewer lines and manholes as well as some point repairs. The majority of the work done was cured in place relining which is basically a pipe within a pipe and is by far much cheaper than digging up and replacing pipe. The areas that were completed including some change orders were Brown Street, Oley Turnpike Road where there was a significant break, Parkview Road, Bingaman Street and Penn's Grant. The second part of the repairs which were point repairs were completed in 24 locations throughout the Borough. There were also some manhole lining done where cement epoxy liners were placed mainly throughout sub-basin A. Mr. Conrad indicated that all of the repairs and deficiencies in the sewer system have now been completed and the sewer system is in fairly good shape. Mr. Conrad proposed that a 5-year maintenance schedule be laid out and followed through on to insure that the sewer system stays well maintained. Mr. Conrad indicated that the next step would be to address the laterals from the homes however it has not yet been determined how to handle this matter. Mr. Conrad told Council that now that the repairs have been done the Borough has purchased some new sewer meters which will be installed which can actually detect when the system backs up to address the billing issues with Exeter Township. Rev. Bennethum mentioned that earlier in the year when sitting down with Exeter the idea of handing over the sewer system to Exeter was discussed and perhaps now that all of the repairs have been done this could be addressed again. Mr. Conrad and Ms. London indicated that it is a little bit more complicated since there would have to be a price placed on the sewer system as an asset for accounting purposes. This will be addressed further at a later time. All of the repairs and work that has been done to the sewer system will be reported in the Chapter 94 report to DEP. Further discussion about the moratorium that was placed on the system was discussed in detail since Lower Alsace issued a building permit and DEP allowed the connection. DEP would like a copy of the Ordinance attached to the Chapter 94 report so that they can look into this a little bit further. Mr. Conrad was also asked by Mr. May to create a spread sheet showing all of the flow readings from the last 5 years so that we can compare numbers. Mr. May and the rest of Council thanked Mr. Conrad for the presentation.

REPORT OF THE BOROUGH ENGINEER - PAMELA STEVENS, SDE

FEE SCHEDULE - Ms. Stevens indicated that there are no changes to the 2011 fee schedule other than the change made by Resolution in the latter part of 2010 which made pools a flat fee and added the time and material fee for commercial permits. Ms. London indicated that this would need to be adopted by Resolution. **MOTION:** Mr. Eggert made the motion to adopt Resolution 715-2011 UCC Fee Schedule for SDE; seconded by Mrs. Eshelman; all were in favor and the motion carried.

GOODWILL INDUSTRIES – Ms. Stevens informed Council that there was a meeting held at Borough Hall with Goodwill Industries on 1/10/11. The lighting requirements were discussed and a map was shown breaking the parking lot into two different zones. The one zone was for parking of tractor trailers overnight which would require only 0.2 mln and the retail parking for the store which would require 0.9 mln during the hours of operation and could be lessened when not opened to the public. There was a discussion with regard to breaking the parking lot into zones and Council had no issue with the different zones. **MOTION:** Mr. Eggert made a motion allowing the Goodwill Industries parking lot to be broken into two different zones for lighting as described above; seconded by Mrs. Eshelman; all were in favor and the motion carried.

REPORT OF THE BOROUGH SOLICITOR – JOAN LONDON, KOZLOFF STOUTD

GOODWILL INDUSTRIES – Ms. London prepared an agreement as authorized at the December meeting in which Goodwill Industries would assume responsibility for the sidewalks and the Borough would apply for the HOP. Ms. London also indicated that she has begun conversation with Turkey Hill for the placement of the sidewalk on their property which is a very small area. **MOTION:** Mr. Eggert made the motion authorizing the Goodwill Agreement to be signed in which Goodwill Industries assumes the responsibility for the sidewalks and the Borough would apply for the HOP; seconded by Mrs. Eshelman; all were in favor and the motion carried.

FIRE LANE RESOLUTION – Ms. London prepared a Resolution which authorizes designation of a fire lane in the Borough by the Borough Engineer and authorizes the enforcement of the fire lane ordinance by the police department. **MOTION:** Mr. Eggert made the motion to adopt Resolution 714-2011 designation of a fire lane by the Borough Engineer and enforcement of such a fire lane by the police department; seconded by Mr. Whitman; all were in favor and the motion carried.

DIBIASE ZONING APPEAL - Ms. London indicated that we should be hearing the decision shortly.

ANTIETAM SHOPPING CENTER – The shopping center has not complied with the Zoning Ordinance with regard to lighting. The parking area does not meet the lighting requirement. They have been notified and no action has been taken on their part. Ms. London was instructed by Council to inform the attorney for the shopping center that if action is not taken the Borough will have no choice but to start enforcement through the District Justice Office. It was decided that Council would like to see a lighting plan by the next Council meeting (30 days).

SUBURBAN PETROLEUM – Citations are in progress.

REPORT OF THE CODE ENFORCEMENT/ZONING OFFICER – WILLIAM DANIELS

Mr. Daniels indicated that all of the LED light heads have been installed. There have been numerous snow events and he has plowed and salted the Borough streets to the best of his abilities.

REPORT OF THE BOROUGH MAYOR – MICHAEL FRITZ

The monthly police run list was distributed to the members of Council for review. Mayor Fritz indicated that the Chief is working on the yearly statement and plans to attend the February meeting to present his report.

BUDGET & FINANCE - ALLISON LEINBACH

2010 AUDIT – The auditors from Mallie Falconeri have begun the 2010 audit and has completed the survey of financial condition. The proposal for the calendar year 2010 to perform the audit is \$3,450, 2011 will be \$3,600 and 2012 will be \$3,750. The proposal to perform the tax collector audit is the same however the school district pays for 50%. **MOTION:** Mr. Eggert made the motion to accept the proposal from Mallie Falconeri for performing both the Borough audit and the tax collector audit; seconded by Mr. Whitman; all were in favor and the motion carried.

LIQUID FUELS AUDIT/DISTRICT JUSTICE AUDIT 2009 – The Audits were available for review. Mr. May asked if the audits could be scanned and made available for review.

CERTIFICATION OF UNCOLLECTED REAL ESTATE TAXES – Mrs. Eggert informed Council that there were 11 unpaid real estate bills totaling \$6,871.98 to be turned over to Berks County Tax Claim for collection. **MOTION:** Mr. Eggert made a motion to turn over the Berks County Tax Claim the 11 uncollected real estate tax bill for collection totaling \$6,871.98; seconded by Mr. Simmons; all were in favor and the motion carried.

STREETS & LIGHTS – JOAN ESHELMAN

RESOLUTION 716-2011 – This Resolutions allows the Borough to enter into a contract with MetEd for the removal of ten 100-watt and three 150-watt high pressure sodium vapor and four 250-watt mercury vapor customer owned street lights to provide energy only to 17 customer owned 105 nominal watt LED street lights.

MOTION: Mr. Whitman made the motion to adopt Resolution 716-2011 as stated above; seconded by Mr. Simmons; all were in favor and the motion carried.

PLANNING COMMISSION - ALLISON LEINBACH

The Planning Commission will be meeting on January 26, 2011 to review Goodwill Industry's changes to the plan.

SANITARY SEWER – ALLISON LEINBACH

PAYMENT APPLICATION FOR AM LINER EAST – The final payment and close out for the 2008 sewer project has been approved by SSM. The amount of the payment application to AM Liner East totals \$4,070.82. **MOTION:** Mr. Eggert made the motion authorizing payment and close out of the project to AM Liner East in the amount of \$4,070.82; seconded by Mrs. Eshelman; all were in favor and the motion carried.

TRASH & RECYCLING - CARY WHITMAN

SPRING CLEAN UP - The tentative date for spring clean up will be May 12. This is not a recycling day.

RECREATION - DAVID EGGERT

We are in receipt of a few playground leader applications and a decision will be made shortly.

ZONING HEARING BOARD

BEIL DECISION – We are still waiting for the Zoning Hearing Decision on the Beil property. Ms. London will call Mr. Price to remind him that the deadline is approaching.

NEWSLETTER - ALLISON LEINBACH

The next newsletter will be going out earlier than usual to update the residents on the bridge closure. The Easter Egg Hunt information will be included in the newsletter as well.

LIBRARY LIAISON – WARREN LUBENOW

Mr. Lubenow indicated that the library is working on a protection for inventory since there is presently not anything in place.

NEW BUSINESS

AMMENDMENT TO PLUMBING FEES – Ms. Leinbach indicated that we need to add a residential sprinkler fee inspection of \$150. **MOTION:** Mr. Eggert made the motion to amend the plumbing fee schedule to include a residential sprinkler fee of \$150; seconded by Mr. Whitman; all were in favor and the motion carried.

GENERAL COMMENTS TO COUNCIL

STATEMENTS OF FINANCIAL INTEREST – The statements of financial interest were distributed to all of the members of Council to be filled out and returned to Mrs. Eggert to be kept on file in the Borough office.

THANK YOU'S – Mrs. Eggert read the thank you notes received from Berks Crime Alert and Berks County Solid Waste Authority for our 2010 donations.

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 9:10 PM.

Respectfully submitted,

s/Susan D. Eggert

Susan D. Eggert
Borough Secretary