

**BOROUGH OF ST. LAWRENCE
MEETING MINUTES
THURSDAY, SEPTEMBER 8, 2011**

ATTENDANCE:

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

OTHERS IN ATTENDANCE:

Mr. Michael Fritz, Borough Mayor
Ms. Pamela Stevens, Borough Engineer
Ms. Joan London, Borough Solicitor
Ms. Allison Leinbach, Borough Manager
Mrs. Susan Eggert, Borough Secretary
Chief Anthony Garipoli, Chief of Police Central Berks Regional
Ms. Carole Duran, Reading Eagle

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 from the previous meeting, Thursday, August 11, 2011, were distributed to all members of Council for review. There were no questions, corrections or clarifications. **MOTION:** Mr. David Eggert made the motion to approve the minutes from the Thursday, August 11, 2011, meeting as presented; seconded by Mr. James Simmons; all were in favor and the motion carried.

TREASURER'S REPORT: The treasurer's report was presented to Council for review. There were no questions, corrections or clarifications. Ms. Leinbach said that the treasurer's report could be approved as presented and filed for audit. **MOTION:** Mrs. Joan Eshelman made the motion to accept the treasurer's report as presented and file it for audit; seconded by Mr. Warren Lubenow; all were in favor and the motion carried.

GENERAL: \$341,960.21 **SEWER:** \$84,233.73 **CAPITAL RESERVE:** \$139,515.17 **LIQUID FUELS:** \$212,825.16

APPROVAL AND PAYMENT OF THE BILLS: The list of bills requiring payment and ratification from both the general fund and the sewer fund were presented to Council for review and approval. There were no questions, corrections or clarifications. Bills from the general fund requiring payment and ratification total \$56,290.73 and bills requiring payment from the sewer fund total \$6,898.93. **MOTION:** Mrs. Eshelman made the motion authorizing payment and ratification of bills from the general fund and the sewer fund; seconded by Mr. Simmons; all were in favor and the motion carried.

POLICE CHIEF REPORT – Chief Anthony Garipoli presented a quarterly report to Council. The Chief indicated that calls have been up a bit but really nothing out of the ordinary. The Chief also reminded Council of the 9/11 service scheduled for Sunday at Carsonia Park. Chief Garipoli thanked Council for their generous donation toward National Night Out. The Chief also thanked Mayor Fritz and his wife, Councilman Lubenow and Councilman Bennethum for popping the popcorn. The Chief asked if Council had any questions; all questions were answered.

REPORT OF THE BOROUGH ENGINEER – PAMELA STEVENS, SDE

M & A EXCAVATING PROPOSAL – Ms. Stevens and Ms. Leinbach indicated that Mr. Daniels and Mr. Bieber found a sinkhole at the Levan Street headwall. Ms. Stevens was asked to come out and look at the site; after evaluating the situation Ms. Stevens determined that this would be considered an “emergency repair”. M & A Excavating was called in and a proposal was made for the emergency repair. The proposal includes excavation and backfill, rip rap and geotextile material, temporary by pass pumping, concrete wall with footer, slab and rebar, galvanized fence on new wall and land seeding of disturbed area. The repair of the sink hole will be done at time and material. There was a short discussion about the time and material and an approximate cost for that repair. Mr. Eggert asked Ms. Stevens if she felt that that could be done for around \$10,000. Ms. Stevens indicated that she felt that the project should come in around that price range. **MOTION:** Mr. Eggert made the motion to accept M & A Excavating’s proposal for the above items at a cost of \$27,190 and authorized a representative to oversee the sink hole repair at a cost not to exceed \$10,000; seconded by Mrs. Eshelman; all were in favor and the motion carried.

PLANNING COMMISSION – Ms. Stevens indicated that the Planning Commission will have a busy September meeting. They will have the zoning hearing variance application to review as well as a sketch plan for the Hafer Heights Subdivision and the zoning ordinance to review.

ANTIETAM SHOPPING CENTER – Ms. Stevens indicated that letters were sent to the shopping center with regard to the huge pot holes. There was a short discussion and it was decided to authorize Ms. Stevens to inform the shopping center that if the holes are not fixed within 30 days that enforcement action will be taken on day 31.

MOTION: Mr. Eggert authorized Ms. Stevens to send the shopping center notice that if the pot holes on the property are not fixed within 30 days that enforcement action will be taken on day 31; 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 a few letters were sent out and that door hangers were issued to properties with brush and trees overhanging the sidewalks asking them to simply clear whatever hangs out or over the sidewalk. Mr. May indicated that he received a courtesy letter but does not feel that the Borough can enforce the 3 ft foot back from the curb as stated in the ordinance. Mr. May advised Council that he felt that this ordinance be revisited because he is not sure that the Borough could legally be able to require that set back.

REPORT OF THE BOROUGH SOLICITOR – JOAN LONDON

DIBIASE – Ms. London told Council that the brief was filed on August 22 and Sept 6. Currently we are waiting for a court date.

PARKVIEW VILLAGE – Ms. Leinbach received an inquiry with regards to the maintenance of the storm water facility on Maci Way. Ms. London indicated that she informed the resident that the maintenance of the storm water system is the responsibility of the Homeowner’s Association. However, Ms. Leinbach indicated that the storm water system did exactly what it was designed to do and she informed the resident of the same.

VARIANCE APPLICATION – The Borough is in receipt of a Zoning Variance application from Community Church for placement of a sign. The Planning Commission will review this application at the September meeting and make comment.

JACKSONWALD AVENUE – Ms. London indicated that she and Ms. Leinbach met with the assessment office with regard to the ownership of the retention wall for which Mr. Wegman questioned ownership of at the last meeting. Ms. London also indicated that she did a right to know request to SSM for plans of Jacksonwald Avenue; upon review of these plans and discussion with an engineer who worked there during that timeframe it appears that the Borough did not install the retaining wall which leads the Borough to believe that First Energy or another third part was responsible for the installation of the wall.

FEHNEL PROPERTY - Ms. London indicated that she received an estimate for appraisal of the property at the end of Jacksonwald Avenue of \$275. This is needed in order to quit claim the property. The cost is going to be shared by the property owner and the Borough. **MOTION:** Mr. Lubenow made the motion to accept the proposal of \$275 for property appraisal to be shared by the property owner; seconded by Mr. Whitman; all were in favor and the motion carried.

SUBURBAN PETROLEUM – The tax collector received noticed that Suburban Petroleum is appealing its tax assessment. The hearing is scheduled for October 21, 2011. There was a short discussion and Council asked Ms. London to attend the hearing on behalf of the Borough and at that time serve the property owner with the violations currently with the District Justice’s office regarding property maintenance. **MOTION:** Mr. Whitman made the motion authorizing Ms. London to attend the hearing on behalf of the Borough and to serve the violations to the owners; seconded by Mr. Eggert; all were in favor and the motion carried.

MENET – There is also tax appeal hearing scheduled for the Menet’s Furniture building. Ms. London asked if Council would like her to attend that hearing. Mr. May indicated that he did not feel that the Borough needed to attend every tax appeal hearing; Ms. London indicated that usually commercial properties are a bigger concern because of the tax dollars received from those properties. **MOTION:** Mr. Whitman made the motion authorizing Ms. London to attend the hearing to protect the Borough’s interests; seconded by Mrs. Eshelman; Mr. Whitman and Mrs. Eshelman voting in favor; Mr. May, Mr. Simmons, Mr. Eggert, Mr. Lubenow and Rev. Bennethum voting against; the motion did not carry.

REPORT OF THE BOROUGH MAYOR - MICHAEL FRITZ

POLICE REPORT – The police report from July and August were available for review.

CHRISTMAS PARTY – Mayor Fritz announced that he received an e-mail from the North Pole indicating that Santa wanted to visit the Borough of St. Lawrence. Mayor Fritz would like to organize a Christmas Party for the residents, family and friends of Borough residents on Saturday, December 10, from 6:30 PM to 8:30 PM which would include a visit from Santa Claus who will brought in via the Mt. Penn Fire Company. Mayor Fritz indicated that he has gotten numerous donations for the event and is looking for some volunteers; the playground leaders will be able to help with the event. This will be advertised in the supplement newsletter scheduled to be in the homes of residents by mid November.

BUDGET & FINANCE - ALLISON LEINBACH

BUDGET MEETINGS - At the last meeting budget meeting dates were discussed however Ms. Leinbach felt it best to make the meetings later in the month since no figures will be available in early October. Ms. Leinbach recommended Monday, October 24 and Wednesday November 9, at 7:00 PM. Council agreed that most likely later in the month is better than earlier in the month. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the budget meetings as Monday, October 24 and Wednesday, November 9, at 7:00 PM; seconded by Mr. Lubenow; all were in favor and the motion carried. Mr. Eggert also asked that anyone who may have a budget item request get that information to Ms. Leinbach as soon as possible.

PLANNING COMMISSION

The Planning Commission will be very busy in September reviewing the Zoning Hearing variance application, the sketch plan for Hafer Heights project and reviewing the Zoning Ordinance.

SANITARY SEWER - ALLISON LEINBACH

AVMA PLANT UPGRADE – The Borough received a letter from Arro Engineering with reference to an upgrade to the wastewater treatment plant. Ms. Stevens explained that this would basically double their discharge. Ms. Leinbach explained that they have been experiencing an ongoing I & I problem and they have not been able to isolate the problems. The first phase of the project was the expansion of the plant and the next phase would be discharge. Ms. Stevens indicated that she could contact Arro Engineering to get more detail of the project planned. **MOTION:** Mr. Eggert made the motion authorizing Ms. Stevens to contact Arro Engineering to get more details on the project and report back to Council at the next meeting; seconded by Mr. Simmons; all were in favor and the motion carried.

TRASH & RECYCLING – CARY G. WHITMAN

TRASH BID SPECS – Ms. Leinbach is currently working on the bid specs for a new trash contract. Ms. Leinbach indicated that she should have the specs done by the end of next week and then Ms. London will have to review them prior to advertisement. Ms. Leinbach said the bid opening should be prior to the October meeting.

MOTION: Mr. Eggert made the motion authorizing Ms. Leinbach to advertise the trash bid specs for an opening prior to the October meeting; seconded by Mr. Whitman; all were in favor and the motion carried.

RECREATION - DAVID EGGERT

FALL FESTIVAL – Mr. Eggert told Council that we are planning to have a Fall Festival on Saturday, October 29. The playground leaders will be organizing and running events such as carnival games, organized games and craft.

REPAVING OF TENNIS COURTS – Mr. May said that he had been approached by a few people about paving the tennis courts. He would like to have this as a budget item next year.

EMERGENCY MANAGEMENT COORDINATOR - ROBERT MAY

Mr. May said that there apparently was not enough damage in Berks to qualify for any money. He inspected the bridge for scour; it was fine.

ZONING HEARING BOARD

The Borough is in receipt of a zoning hearing variance application. The Borough is seeking a waiver on the setting of the hearing which Mr. Lubenow said would be granted by the church's attorney however he is currently on vacation.

MUNICIPAL LANDS

ENERGY PROCUREMENT – Ms. Leinbach was contacted by APPI to give quotes on electric. The study done shows that if we go with Suez Energy the Borough could save 19% on electric costs compared to Met Ed. There was a short discussion; Ms. London would like to review the documents. **MOTION:** Mr. Eggert made a motion authorizing Ms. Leinbach to proceed with the proposal contingent upon Ms. London's review and decrease competitive pricing of at least 15% for a term of 36 months; seconded by Rev. Bennethum; all were in favor and the motion carried.

NEWSLETTER - ALLISON LEINBACH

As discussed previously, there will be a supplemental newsletter done mid November to contain information about trash, holiday events and any other pertinent information for the end of the year.

LIBRARY LIAISON - WARREN LUBENOW

Mr. Lubenow reported that the director is still out on maternity leave however there are no activities at the library with the exception of the typical fundraising events.

UNFINISHED BUSINESS

REORGANIZATION MEETING – There will be a reorganization meeting next year. The meeting will be on Tuesday, January 3, 2012, since January 2, 2012 is the legal holiday. The meeting will need to be advertised and at that time Council will decide on a meeting schedule for the calendar year and make appointments. **MOTION:** Mr. Eggert made the motion authorizing the Borough Manager to advertise the reorganization meeting for Tuesday, January 3, 2012 at 7:30 PM with the regular monthly meeting to immediately follow; seconded by Mrs. Eshelman; all were in favor and the motion carried.

NEW BUSINESS

GOVERNMENT SURPLUS – Ms. Leinbach indicated that there is a form that needs to be signed updating the Borough's information for purchasing government surplus items. **MOTION:** Mr. Whitman made the motion authorizing the Council President, to sign the government surplus form update; seconded by Mr. Eggert; all were in favor and the motion carried.

ST. LAWRENCE BOROUGH COUNCIL

9/11

GENERAL COMMENTS TO COUNCIL

HISTORIC CALENDAR – Mayor Fritz announced that the Women’s Club is selling historic calendars as a fundraiser. The calendar includes many old time photos of the Borough. The calendars are selling for \$10.

BUDGET REQUESTS – Mr. Eggert asked that if anyone has any budget requests to please get them to Ms. Leinbach as soon as possible so that she may start working on next year’s budget.

ADJOURNMENT: MOTION: Mr. Eggert made the motion to adjourn; seconded by Mr. Whitman; all were in favor and the motion carried. The meeting of the St. Lawrence Borough Council adjourned at 8:35 PM.

Respectfully submitted,

Susan D. Eggert, Borough Secretary