

MINUTES OF THE CORNWALL BOROUGH COUNCIL  
MEETING HELD ON MONDAY, DECEMBER 14, 2009  
AT 7:00 P.M. IN THE CORNWALL BOROUGH OFFICE

The meeting was called to order at 7:00 p.m. by Council President Carl Hilton.

PLEDGE OF ALLEGIANCE

PRESENT

Don Moyer, Forrest Dishong, Rob Koehler, Carl Hilton, Raymond Fratini, Steve Lazorcik and Paul Vranesic.

PUBLIC

Meeting attendance sheet is attached hereto.

PUBLIC COMMENT

Wayne Cooper, Newly Elected Assessor, questioned Council what his duties are as Borough Assessor. Carl Hilton responded by reading correspondence from Shelley Houk, Pennsylvania State Association of Borough, in which there is nothing in the Borough Code which assesses this position. Ms. Houk stated that both PSAB and Borough Code Revision Committee are recommending that the position be eliminated.

REPORTS

SECRETARY

Raymond Fratini made the motion, seconded by Don Moyer to approve the report of the Secretary. Motion passed.

TREASURER

A motion was made by Steve Lazorcik, seconded by Rob Koehler to approve the report of the Treasurer. Motion passed.

HIGHWAY DEPARTMENT

Rob Koehler made the motion, seconded by Raymond Fratini to approve the Highway Department Report. Motion passed.

WATER/SEWER DEPARTMENT

A motion was made by Steve Lazorcik, seconded by Forrest Dishong to approve the reports of the Water and Sewer Departments. Motion passed.

CORNWALL COMMUNITY FIRE COMPANY

Paul Vranesic made the motion, seconded by Steve Lazorcik to approve the report of the Cornwall Community Fire Company. Motion passed.

MAYOR

A motion was made by Steve Lazorcik, seconded by Raymond Fratini to approve the report of the Mayor. Motion passed.

#### CORNWALL BOROUGH PLANNING & ZONING COMMISSION

Raymond Fratini made the motion, seconded by Steve Lazorcik to approve the report of the Cornwall Borough Planning & Zoning Commission. Motion passed.

#### BUILDING PERMIT REPORT

A motion was made by Rob Koehler, seconded by Raymond Fratini to approve the Building Permit Report. Motion passed.

#### OLD BUSINESS

Nothing to report.

#### NEW BUSINESS

##### RON BITNER/DOUG WERLEY – PENSION

Ron Bitner, Nationwide and Doug Werley, Anderson & Co. updated Council on the Financial Performance of the Boroughs Uniformed and Non-Uniformed Plans.

##### RESOLUTION 2009-6 – SALARIES AND WAGES

Don Moyer made the motion, seconded by Raymond Fratini to adopt Resolution 2009-6. Motion did not pass with the following results in favor of adopting the Resolution: Rob Koehler Aye, Don Moyer Aye, Forrest Dishong Aye, Raymond Fratini Aye, Steve Lazorcik Nay, Paul Vranesic Nay and Carl Hilton Aye. Motion passed with five Ayes – two Nays.

##### RESOLUTION 2009-7 – HERITAGE TRAIL

A motion was made by Paul Vranesic, seconded by Rob Kohler to adopt Resolution 2009-7. Motion passed.

##### RESOLUTION 2009-8 – BUILDING CODE – FEE'S

Paul Vranesic made the motion, seconded by Steve Lazorcik to adopt Resolution 2009-8. Motion passed.

##### ORDINANCE 2009-5 – TAX RATE

A motion was made by Don Moyer, seconded by Raymond Fratini to adopt Ordinance 2009-5. Motion did not pass with the following results in favor of adoption of Ordinance 2009-5: Rob Koehler Nay, Don Moyer Aye, Forrest Dishong Aye, Raymond Fratini Aye, Steve Lazorcik Nay, Paul Vranesic Nay and Carl Hilton Aye. The Ayes took the vote 4-3.

##### FINAL ADOPTION – BUDGET

Don Moyer made the motion, seconded by Raymond Fratini to adopt the 2010 Final Budget. Motion did not pass with the following results in favor of passing the budget: Rob Koehler Nay, Don Moyer Aye, Forrest Dishong Aye, Raymond Fratini Aye, Steve Lazorcik Nay, Paul Vranesic Nay and Carl Hilton Aye. The Ayes took the vote 4-3.

##### H & K UPDATE

##### FISCAL IMPACT REVIEW

Paul Vranesic made the motion, seconded by Raymond Fratini to approve the Fiscal Impact Study. Motion passed.

#### ADMISSIONS TAX

A motion was made by Paul Vranesic, seconded by Raymond Fratini to have Special Counsel Josele Cleary research implementation of an admissions tax for the H & K project. Motion passed.

#### COORDINATED MIX USE AMENDMENT

Paul Vranesic made the motion, seconded by Raymond Fratini to refer the Coordinated Mix Use Amendment and Traffic Impact Study to the Lebanon County Planning Department for comments. Motion passed.

#### TOM SHERIDAN – TRAFFIC FLOW DURING H & K DEVELOPMENT

Tom Sheridan presented a Memo to Council in which he has some suggestions for traffic flow in the Borough during the H & K Development. It was decided to refer the correspondence to Chris May, Traffic Engineer.

#### BOLLARD/SHERIDAN PLAN – CONDITIONAL APPROVAL

Paul Vranesic made the motion, seconded by Rob Koehler to give Conditional Approval to the Bollard/Sheridan Subdivision Plan subject to granting of waivers in the December 14, 2009 Hanover Engineering Correspondence and the following conditions being met:

- A. Receipt of Planning Module Approval from DEP
- B. Payment of Recreation Fee's
- C. Approval of the Proposed Water and Sewer Facilities by the Authority
- D. Provision of an acceptable completed improvement guarantee in the amount of \$54,250.00.
- E. The completion of all required signatures and seals on the plan prior to Final Plan recording.
- F. Preparation and execution of a Development Agreement prepared by the Borough Solicitor.

Motion passed.

#### LAVERTY, 274 REXMONT ROAD – REMOVAL OF BOULDERS

Raymond Fratini made the motion, seconded by Donald Moyer to notify Mr. Laverty that the boulders he placed on the Right of Way at 274 Rexmont Road be removed by December 19, 2009. If the boulders are not removed by property owner by this date the Highway Department will remove them. Motion passed.

#### JEFF SNYDER – P & Z COMMISSION REAPPOINTMENT

A motion was made by Raymond Fratini, seconded by Don Moyer to reappoint Jeff Snyder to a 5 year term on the Planning & Zoning Commission. Motion passed.

#### ROUTE 72/419 – JEFF STECKBECK – CONCEPT 3

Paul Vranesic made the motion, seconded by Rob Koehler to accept Concept 3 design for the Rte 72/419 Job. Motion passed.

#### VERIZON WIRELESS – TOWER REMOVAL AGREEMENT

A motion was made by Paul Vranesic, seconded by Rob Koehler to approve the Verizon Wireless Tower Removal Agreement. Motion passed.

TAX ANTICIPATION LOAN – PROPOSALS - \$300,000.00

Steve Lazorcik made the motion, seconded by Don Moyer to obtain proposals for a \$300,000.00 Tax Anticipation Loan. Motion passed.

ADJOURNMENT

Paul Vranesic made the motion, seconded by Raymond Fratini to adjourn the meeting. Motion passed.

Sincerely,

Steven N. Danz  
Secretary