

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING
HELD ON MONDAY, APRIL 11, 2011 AT 7:00 P.M. IN
THE CORNWALL BOROUGH OFFICE

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

PLEDGE OF ALLEGIANCE

PRESENT

Paul Vranesic, Steve Lazorcik, Raymond Fratini, Rob Koehler, Mike Thomas, Bob Thomas, John Karinch and Mayor Mark Thomas.

PUBLIC

Meeting attendance sheet is attached hereto.

APPROVAL OF MINUTES

FEBRUARY 14, 2011 – PUBLIC HEARING

Rob Koehler made the motion, seconded by Steve Lazorcik to approve the minutes from the February 14, 2011 Public Hearing. Motion passed.

MARCH 14, 2011 – MEETING

A motion was made by Rob Koehler, seconded by Steve Lazorcik to approve the minutes from the March 14, 2011 meeting. Motion passed.

PUBLIC COMMENT

Gail Helm, 201 Burd Coleman Road, presented Council with a petition signed by 19 residents asking Council to address the issue of the property owned by Thomas and Denise Savoye. The property is currently being used as outdoor storage for a multitude of materials as well as storage and use of heavy equipment, acetylene tanks, large saws, sanders, chisels, drills, etc. All used for manufacturing on the property. After a discussion a motion was made by Rob Koehler, seconded by Bob Thomas to have Paul Vranesic send a letter to the Zoning Officer. Motion passed.

REPORTS

SECRETARY

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

TREASURER

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

HIGHWAY DEPARTMENT

Steve Lazorcik 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 Rob Koehler to approve the report of the Water and Sewer Departments. Motion passed.

CORNWALL COMMUNITY FIRE COMPANY

Bob Thomas made the motion, seconded by Mike Thomas to approve the report of the Cornwall Community Fire Company. Motion passed.

MAYOR

Steve Lazorcik made the motion, seconded by Bob Thomas to approve the report of the Mayor. Motion passed.

CORNWALL BOROUGH PLANNING & ZONING COMMISSION

A motion was made by Raymond Fratini, seconded by Mike Thomas to approve the report of the Cornwall Borough Planning & Zoning Commission. Motion passed.

BUILDING PERMIT REPORT

Steve Lazorcik made the motion, seconded by Rob Koehler to approve the Building Permit Report. Motion passed.

RECREATION

No Report.

EMPLOYEE SAFETY COMMITTEE

Rob Koehler made the motion, seconded by Steve Lazorcik to approve the report of the Employee Safety Committee. Motion passed.

COMMUNITY SAFETY/BOARD OF HEALTH

A motion was made by Steve Lazorcik, seconded by John Karinch to approve the report of the Community Safety/Board of Health Report. Motion passed.

PROPERTY AND FINANCE

Bob Thomas made the motion, seconded by Rob Koehler to approve the report of the Property and Finance Committee. Motion passed.

EMERGENCY SERVICES COMMITTEE

Mike Thomas made the motion, seconded by Bob Thomas to approve the report of the Emergency Services Committee. Motion passed.

OLD BUSINESS

EIT UPDATE

The Borough's Special Counsel, Scott Wyland, provided an update on the status of the EIT matter. Mr. Wyland reported that the "underpays" and the settling "overpays" filed a petition in the Court of Common Pleas for approval of their Settlement Agreement. In March, the Court held a hearing on the petition. The petition was received very poorly by the Court, which issued an Order requiring the parties to hold a number of public hearings and to provide additional notice concerning the proposed settlement. The Court was unusually upset about the filing of the petition for approval of the settlement and ordered the parties to return to Court on April 1, 2011. After the hearing, the parties intending to settle elected to withdraw their petition and to pursue a Settlement Agreement that did not require the Court's approval. The settling parties have publicly indicated their intention to bring a civil lawsuit against non-settling alleged "overpaid" entities, including the Borough of Cornwall, at some time in the future.

Mr. Wyland provided additional commentary to the Board on the anticipated lawsuit during Executive Session.

RTE 419/BOYD STREET

Tom Smith informed that PennDOT has performed a study of the Rte 419/Boyd Street intersection and that rumble strips, transverse and centerline are not permitted in residential areas. Per the results of the study, the Boyd Street leg of the SR 419 and Boyd Street intersection has been approved for a W4-4B "ONCOMING TRAFFIC DOES NOT STOP" advisory sign. It was also discussed that the R1-1 "STOP" signs at this intersection do not meet current PennDOT reflectivity standards and should be replaced as well as the corresponding thermoplastic stop bars. Tom stated that all signs that are the Borough's responsibility will be ordered. Council instructed that a letter be sent to Cornwall Manor.

NEW BUSINESS

BOROUGH ENGINEER – COSTS

Raymond Fratini made the motion, seconded by Bob Thomas to as a way to keep engineering costs down not have the Borough Engineer attend meetings unless it is determined by the Planning & Zoning Secretary and Chairman that one is needed.

CORNWALL ELEMENTARY SCHOOL – COMMUNICATIONS TOWER

Raymond Fratini made the motion, seconded by John Karinch to approve Cornwall-Lebanon's request to placing a Communication Tower at the Cornwall Elementary School. Said tower will replace the existing Communication Tower which currently exists on the roof of the Cornwall Elementary School. The tower will be 130' from the ground up. A permit from the Zoning Officer will be required.

HISTORIC AND MUSEUM COMMISSION – CORNWALL FURNACE

A motion was made by Bob Thomas, seconded by Steve Lazorcik authorizing the Borough Engineer to prepare plans and cost estimate for the Storm Water Management work to be performed in the vicinity of the Cornwall Furnace. Motion passed.

RESOLUTION 2011-6 – ENGINEERING – LEGAL FEES

Raymond Fratini made the motion, seconded by Steve Lazorcik to adopt Resolution 2011-6 which reestablishes fees for the submission and review of Subdivision and Land Development Plans and for the inspection of improvements required to be constructed as a part of a Subdivision or Land Development. Motion passed.

AUDIT REVIEW

Paul Vranesic reviewed with Council the 2010 Audit which was prepared by Stanilla, Siegel and Maser. Paul went over the current year internal control recommendations. Steve Danz was instructed to give a written process report back on these recommendations.

POLICE LAYOFF – UNFUNDED POSITION

Bob Thomas made the motion, seconded by John Karinch to Lay Off the unfunded Police Position. Motion did not pass and went to a roll call vote with the following result in favor of the lay off: John Karinch Aye, Rob Koehler Nay, Steve Lazorcik Nay, Raymond Fratini Aye, Bob Thomas Aye, Mike Thomas Nay and Paul Vranesic Aye. The Aye's took the vote 4-3. Motion passed.

EXECUTIVE SESSION – LEGAL MATTERS

A motion was made by Rob Koehler, seconded by John Karinch to adjourn the meeting to an Executive Session. Motion passed.

RECONVENE

Steve Lazorcik made the motion, seconded by Mike Thomas to reconvene the meeting. Motion passed.

ADJOURN

A motion was made by Rob Koehler, seconded by Raymond Fratini to adjourn the meeting. Motion passed.

Sincerely,

Steven N. Danz
Secretary