

MINUTES OF THE CORNWALL BOROUGH COUNCIL  
MEETING HELD ON MONDAY, APRIL 12, 2010 AT  
7:00 P.M. IN THE CORNWALL BOROUGH OFFICE

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

PLEDGE OF ALLEGIANCE

PRESENT

Paul Vranesic, Steve Lazorcik, Forrest Dishong, Rob Koehler, Mike Thomas, Bob Thomas, Student Council Leah Grandi and Mayor Mark Thomas.

PUBLIC

Meeting attendance sheet is attached hereto.

APPROVAL OF MINUTES

MARCH 8, 2010

Bob Thomas made the motion, seconded by Steve Lazorcik to approve the minutes from the March 8, 2010 meeting. Motion passed.

MARCH 16, 2010

A motion was made by Rob Koehler, seconded by Mike Thomas to approve the minutes from the March 16, 2010 meeting. Motion passed.

PUBLIC COMMENT

Stan Alekna commented that he recently read that the Neversink Fire Company recently received a grant in the amount of \$100,000.00. He questioned Council if the Cornwall Community Fire Company has ever applied for such a grant. Mr. Vranesic responded that this would be brought up at the next Emergency Services Committee meeting.

REPORTS

SECRETARY

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

TREASURER

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

HIGHWAY DEPARTMENT

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

WATER/SEWER DEPARTMENT

A motion was made by Rob Koehler, seconded by Forrest Dishong to approve the report of the Water and Sewer Departments. Motion passed.

#### CORNWALL COMMUNITY FIRE COMPANY

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

#### MAYOR

A motion was made by Steve Lazorcik, seconded by Forrest Dishong to approve the Mayors Report. Motion passed.

#### Cornwall Borough Planning & Zoning Commission

Steve Lazorcik made the motion, seconded by Rob Koehler to adopt 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

Steve Lazorcik reported that C.Q.M. would like to make a \$10,000.00 donation to the Borough to be used toward maintenance of the ballfields. After a discussion it was decided to send a letter to C.Q.M. stating that this would be permissible and that a separate account would be set up to keep track of these funds.

#### EMPLOYEE SAFETY COMMITTEE

A motion was made by Rob Koehler, seconded by Bob Thomas to approve the report of the Employee Safety Committee. 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

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

#### OLD BUSINESS

##### H & K UPDATE – PAUL VRANESIC

Paul Vranesic turned the meeting over to Chris May who updated Council on the Traffic Impact Study in his March 8, 2010 correspondence (copy attached).

#### 46 CONDITIONS

Steve Lazorcik made the motion, seconded by Rob Koehler to amend Point #19 to have H & K work with NAVTEQ Teatlas, Google and other entities to remove Iron Valley Drive as a public road.

#### REVIEW LETTERS

Paul Vranesic read review letters received from Lebanon County Planning Department and Hanover Engineering concerning the Proposed Coordinated Mixed Use Overlay District Regulations.

#### PUBLIC HEARING – APRIL 27, 2010 – ZONING CHANGE

Rob Koehler made the motion, seconded by Steve Lazorcik to hold a Public Hearing on April 27, 2010 at 7:00 p.m. in the Cornwall Elementary School to hear public comment on the proposed amendment to the Cornwall Borough Zoning Ordinance and Map. Motion passed.

#### APPROVAL OF 46 CONDITIONS

A motion was made by Rob Koehler, seconded by Mike Thomas to approve the 46 Conditions with the amendment to Point #19 as previously approved. Motion passed.

#### TRAFFIC IMPACT STUDY (3-8-10)

Rob Koehler made the motion, seconded by Steve Lazorcik to approve the Traffic Impact Study Report as completed by HRG. Motion passed.

#### FISCAL IMPACT REPORT

A motion was made by Steve Lazorcik, seconded by Rob Koehler to approve the Fiscal Impact Report. Motion passed.

#### FISCAL IMPACT (TAXES)

Rob Koehler made the motion, seconded by Forrest Dishong to refer the proposed Admission Tax and Local Service Tax to the Finance Committee for review. Motion passed.

#### E.I.T. – SAM WEISS, JR.

Sam Weiss, Jr. updated Council on the most recent Solicitors meeting concerning the E.I.T. Sam informed that the underpaid have been meeting with the City Solicitor Donna Brightbill & Keith Kilgore to come up with a revised settlement proposal which will be circulated among all municipalities. Sam recommended that all the overpaid should get together to discuss options as soon as possible.

#### NEW BUSINESS

##### GRACE'S – CONDITIONAL USE HEARING – APRIL 13, 2010 – 6:00 P.M.

#### TRASH COLLECTION NOISE – BOB THOMAS

Bob Thomas filed a complaint about garbage pick-up noise in Minersvillage. Bob informed that garbage pick-up is usually around 2:00 – 3:00 a.m. on Tuesday mornings. Chief Harris will look to see if there is any ordinance which would prohibit collection at this time of day.

#### FIRE POLICE ASSISTANCE – JUNE 19 – PARADE

Steve Lazorcik made the motion, seconded by Forrest Dishong authorizing that a letter be sent to all surrounding municipalities asking for their Fire Police assistance on June 19<sup>th</sup> for the Fireman's Parade. Motion passed.

#### PRL INDUSTRIES – PRELIMINARY/FINAL LAND DEVELOPMENT PLANS

Rob Koehler made the motion, seconded by Bob Thomas to approve the PRL Industries Preliminary and Final Land Development Plans. Motion passed.

#### CORRESPONDENCE – COUNTY COMMISSIONERS

Steve Danz was authorized to send a thank you to the County Commissioner for the quick response and job well done on repair of the Burd Coleman Road Arch Bridge. Motion passed.

NED KRISSINGER – LETTER OF CREDIT

Rob Koehler made the motion, seconded by Bob Thomas to release any monies being held for the Ned Krissinger Subdivision. Motion passed.

LOT #66 – CRAIG COOK

A motion was made by Steve Lazorcik, seconded by Rob Koehler to not approve the three waivers as requested by Landmark in their March 26, 2010 correspondence from their Attorney Anthony P. Schimneck (copy attached). Motion passed.

INSURANCE – PROPOSALS

Rob Koehler made the motion, seconded by Bob Thomas authorizing the advertisement of bids for Insurance. Motion passed.

EXECUTIVE SESSION

A motion was made by Rob Koehler, seconded by Bob Thomas to adjourn to an executive session for the purpose of legal advice on E.I.T., Police Contract and Mt. Gretna and West Cornwall Agreements. Motion passed.

RECONVENE

Rob Koehler made the motion, seconded by Bob Thomas to reconvene the meeting. Motion passed.

SAM WEISS, JR. – ECKERT, SEAMANS

A motion was made by Bob Thomas, seconded by Mike Thomas authorizing Sam Weiss, Jr. to contact the law firm of Eckert, Seamans to see if they would be available to represent the Borough in any lawsuit concerning the proposed E.I.T. overpayment. Motion passed.

ADJOURNMENT

Rob Koehler made the motion, seconded by Steve Lazorcik to adjourn the meeting. Motion passed.

Sincerely,

Steven N. Danz  
Secretary