

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING
HELD ON MONDAY, AUGUST 12, 2019 AT 6:30 P.M.
IN THE CORNWALL BOROUGH OFFICE

The meeting was called to order at 6:30 p.m. by Council President John Karinch.

PLEDGE OF ALLEGIANCE

PRESENT

Gerald Boughter, John Karinch, Marie Tribioli, Steve Tribioli, Ron Ricard, Beth Yocum, Al Brandt and Mark Thomas.

PUBLIC

Meeting attendance sheet is attached hereto.

457 PLAN

BT Trefsgar and Scott Carr from BenefitWorks spoke to council about becoming the administrator for the borough's 457 Plan. They explained the current plan, the proposed changes they would make to the plan and answered questions from council. Tom Smith gave his perspective from the employee side. He said they haven't had an administrator to talk to in 10 years and the highway department was happy to hear this was being investigated. Chief Harris offered similar sentiments to Tom Smith. Al Brandt made a motion, seconded by Ron Ricard to enter into an agreement with BenefitWorks to become the plan administrator for the borough's 457 Plan. Motion passed.

PUBLIC COMMENT – WATER & SEWER QUESTIONS ONLY

No comments

REPORTS

DIRECTOR'S WATER AND SEWER REPORTS

Gerald Boughter made a motion, seconded by Al Brandt to approve the Director's Water and Sewer Reports. Motion passed.

WATER & SEWER BUSINESS

TRANSFER OF FUNDS

Back when the Authority was being dissolved, the Authority took \$752,000 from the Sewer Investment Account and placed it in the Water Investment Account. With a major sewer project on the horizon, Barb Henry felt it was best to transfer the money back into the Sewer Investment Account. Gerald Boughter made the motion, seconded by Ron Ricard, to transfer \$752,000 from the Water Investment Account to the Sewer Investment Account. Motion passed.

DAIRY ROAD PUMP STATION

John Karinch talked about the upcoming Dairy Road Pump Station project in North Cornwall Township. The borough's wastewater is pumped to this station and therefore the borough will have to contribute some of the cost for the construction of a new pump station. Before the project

begins, the borough needs to determine any potential new sources for EDUs over the next 40-60 years. Barb Henry created a letter to send to property owners in the borough who have considerable amount of land that could be developed in the future. Steve Tribioli made a motion, seconded by Marie Tribioli, to send the letter to said owners with a response requested in 60 days. Motion passed.

PURCHASE OF FIRE HYDRANT FLUSHER

The staff is currently utilizing the flusher on a trial basis. Tom Smith said it has been working well. Currently it runs for an hour overnight at a hydrant on Willow Street and the staff can move it around as needed. Gerald Boughter made a motion, seconded by Marie Tribioli, to purchase the hydrant flusher for \$2,475. Motion passed.

EMAIL TO DEP

Council reviewed a letter Barb Henry sent to DEP addressing issues from a recent inspection. No action needed.

WATER AND SEWER COMMITTEE MEETING

The Water and Sewer Committee meeting will be held on the first Monday of the month at 9 a.m. John Karinch appointed Bruce Conrad to the committee as well. Cody Rhoads will advertise the meeting schedule.

PUBLIC COMMENT – BOROUGH BUSINESS

Ray Fratini, Wenger Street, would like to see public access granted to the Open Pit for recreation such as fishing and kayaking. John Karinch made it known that Elizabethtown owns the water at the Open Pit. Marie Tribioli mentioned that access is one issue. John Karinch said liability was another issue. Mr. Fratini said he understands that, but there must be a way to put something together to alleviate those issues. Mr. Fratini simply wanted approval from council to begin pursuing this possibility. Marie Tribioli, as recreation committee chair, offered to work with Mr. Fratini. Marie Tribioli made a motion, seconded by Steve Tribioli, to begin looking into the possibility of public access for recreation activities at the Open Pit. Motion passed.

Lynn Levensgood, Tice Lane, said his main concern tonight is the recent engineering change. He asked Gerald Boughter why he voted to get rid of Steckbeck Engineering. Gerald Boughter said it was done and over with and he doesn't have to answer him. Mr. Levensgood asked him if he was ashamed of something he voted for. Gerald Boughter said it wasn't any of his business how he votes. He made his decision and that's how it is going to stay. Mr. Levensgood asked if someone persuaded him into making that decision. Gerald Boughter said he wanted it on record that nobody tells him how to vote in any meeting and he votes how he sees fit.

Mr. Levensgood asked the same question to Marie Tribioli. Marie Tribioli said she got many complaints from residents about the engineer and that's why she made her decision. She said that she was offended Mr. Levensgood insinuated that someone would try to influence Gerald Boughter's vote. Marie Tribioli said Gerald Boughter also got that same treatment from the council president and mayor. John Karinch and Mark Thomas disagreed with that statement. Mr. Levensgood said he knew a lot of residents who weren't dissatisfied with the engineer and if they had a say he'd still be here.

Mr. Fratini commented that he's been on planning and zoning for 32 years. He said when a new guard comes into play, a change usually follows. He had hired Hanover for planning and zoning, but when he lost his seat, Hanover was replaced. He said both firms are second to none. He doesn't feel anyone should be badgered or blamed for the change. Each member has a right to vote as they please until they are voted out.

APPROVAL OF MINUTES OF JULY 8, 2019 COUNCIL MEETING

Gerald Boughter made the motion, seconded by Beth Yocum to approve the minutes from the July 8, 2019 meeting. Motion passed.

REPORTS

Gerald Boughter made the motion, seconded by Al Brandt, to approve reports as presented. Motion passed.

OLD BUSINESS

BRAKE RETARDER, FREEMAN DRIVE, ORDINANCE 2019-2

Ron Ricard made a motion, seconded by Gerald Boughter, to approve Ordinance 2019-2 which places a restriction on the use of brake retarders on a stretch of Freeman Drive from Cornwall Center to just past Maple Lane. Motion passed.

AMBULANCE SERVICE

John Karinch talked about the recent developments for ambulance service in the borough. A few municipalities in the northern part of the county have contracted with LifeLion. Cornwall's neighboring municipalities are sticking with First Aid and Safety Patrol (FASP), meaning a switch by Cornwall would be cost prohibitive.

Stan Alekna, Aspen Lane, asked about the audit for FASP. Ron Ricard said they did not receive a full audit, but they are going to be supplied with a monthly financial statement.

Ron Ricard said with the recent departure of Brian Smith at FASP, he'd like to see council alter their position to have an out-clause in case FASP's performance is not up to par during the three-year commitment. Other members of council agreed with that sentiment.

Beth Yocum talked about how FASP's main problem was that they were not getting fully reimbursed for their services, which led to their financial problems.

Ron Ricard mentioned that WellSpan is committed to supporting FASP. They've already given them a sizable loan and are in the process of seeing if they can forgive that loan.

Beth Yocum said she liked the idea of committing to FASP if there is a contract in place.

Mark Thomas asked what happens if they come back next year asking for more money. John Karinch said FASP provided these figures for a financial commitment, 2020 - \$16,448, 2021 - \$18,504 and 2022 - \$20,560.

After further discussion, Beth Yocum made a motion, seconded by Steve Tribioli, to notify FASP that the borough is making a commitment to them but would like a contract drawn up. Motion passed.

ZONING ORDINANCE

John Karinch said that the borough must act and start fining people if they violate the ordinance. He asked council's thoughts. Mr. Alekna questioned why he's even asking the question. The ordinance says what you should do. Mr. Fratini said the county will tell you to fine them.

Al Brandt asked what should be done when someone parks their boat out front, but then moves it. John Karinch said they have 24 hours to park and then it must be moved. John Karinch said they must start fining violators.

Mr. Fratini asked if anything further was done in the ordinance for agriculture vehicles. John Karinch said that was only written for road-legal vehicles. Mr. Fratini wants the ordinance written for the farmers to be able to keep unregistered, work vehicles on the property without being cited.

Marie Tribioli said the ordinance is written as it is because you can get a farm registration. Mr. Fratini said he understands that because he wrote the ordinance in 1990. He just wants to give the farmers a break.

John Karinch said he wants to send it back to planning, work on it there and then bring it back to council. Gerald Boughter made a motion, seconded by Ron Ricard, to work on the ordinance with planning. Motion passed.

GOOSETOWN BASKETBALL COURT

Tom Smith met with Marie Tribioli and Cody Rhoads last week. He staked out where the court would go. The borough must figure out if it interferes with the MS4 plan. Hanover Engineer will investigate it.

NEW BUSINESS

ALDEN STREET CLOSURE

Gerald Boughter made a motion, seconded by Ron Ricard, to grant permission to Cornwall United Methodist Church to close Alden Street on September 8th, from 10 a.m. to 4 p.m. Motion passed.

NEW IT CONTRACTOR

Barb Henry and Cody Rhoads met with Robert Yeagley with Eagle Secure Solutions about taking over the borough's IT services. The service contract would be \$400 a month. John Karinch said he feels like he'd rather go with the hourly rate. Mark Thomas felt like the hourly rate was a better way to go. More information will be gathered for next month's meeting.

POLICE ADDITION CONTRACT

There was a question about if changing engineers in the middle of the project was a breach of contract. The only way it would possibly constitute a breach would be if M. Webster Construction would state an objection to the change.

Chief Harris clarified that the issue arose when M. Webster wanted to change suppliers for the bulletproof glass. With the change in firms it took a little bit of time to get that request approved. Chief Harris did not feel that there was any issue from M. Webster's point of view.

Solicitor Jason Hess suggested sending a letter to M. Webster asking if they had any objection to the change.

Ronal Ricard made a motion, seconded by Marie Tribioli, to authorize a letter being sent to M. Webster Construction. Motion passed.

FINAL COMMENTS

Mr. Fratini relayed a request from Louis Hurst that he wanted Jeff Steckbeck to finish the inspections in his development. Council confirmed that Steckbeck would not be doing any further work for the borough.

Ron Ricard asked how many projects were still open. Steve Dellinger said he will go through the 8,000 files the borough received tonight and determine what is still open.

Ron Ricard asked about the dry hydrant connection in the Open Pit. Tom Smith said there is a lot of stone down there and that's why the hose suggestion was made by Steckbeck. He is going to meet with Hanover to go over the project and see what they are dealing with. Marie Tribioli said this project is important because the borough wants to take the Cold Springs tank out of service.

ADJOURNMENT

Gerald Boughter made the motion, seconded by Al Brandt, to adjourn the meeting at 8:04 p.m. Motion passed.

Cody Rhoads
Secretary