

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING
HELD ON MONDAY, SEPTEMBER 9, 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.

PUBLIC COMMENT – WATER & SEWER QUESTIONS ONLY

Linda Mastracci, Walker Street, asked about a drainage issue at her property. John Karinch asked her to save her comment until later in the meeting as this portion only deals with drinkable water and sewer issues.

WATER & SEWER BUSINESS

SCHEDULE C SPECIAL CHARGES

Barb Henry stated that someone opened a fire hydrant without authorization. The borough had nothing in place to deal with a situation such as this. Solicitor Josele Cleary was contacted and fines were created in the water and sewer regulations to address the issue in the future. Al Brandt made the motion, seconded by Marie Tribioli, to implement the fines. Motion passed.

ACT 537

Barb Henry addressed the Act 537 plan, which is the borough's sewage plan. It was written in the 1980s and was last updated in 1993. At some point the plan will have to be revised. If DEP mandates the revision, they usually put a time frame such as six months on it for completion. If the borough chooses to do it on their own volition, then they would have more time to complete it. Barb Henry mentioned that if you do not have a septic system plan in place for disposal and inspection of on-lot systems, DEP would deny the plan and have the borough rewrite it.

Ron Ricard asked what the septic plan referred too. Barb Henry said that DEP now requires that on-lot systems be emptied and inspected at least every four years. The homeowner bears that responsibility and must report the findings to the borough. The borough currently does not have a septic plan.

REPORTS

DIRECTOR'S WATER AND SEWER REPORTS

Marie Tribioli made a motion, seconded by Ron Ricard to approve the Director's Water and Sewer Reports. Motion passed.

PUBLIC COMMENT – BOROUGH BUSINESS

Linda Mastracci, Walker Street, addressed her drainage problem at this point. She was concerned that there was no drain on her side of the street and the water lays there. Tom Smith, highway superintendent, said there actually is a drain on her side, but it's possible she doesn't know it. There are sandbags around it to direct the water to the drain. Ms. Mastracci said she knows where he is talking about.

John Karinch asked Tom Smith if there was a remedy to the problem. Tom Smith said that when the road gets the overlay, more water should find its way into the drain. The plan, including stormwater, was approved ten years ago. John Karinch asked Steve Dellinger, Hanover Engineering, if the problem could be added to punch list for the dedication of Palmer Street. Steve Dellinger said they'll make sure the paving is done properly to ensure the water flows to the drains.

APPROVAL OF MINUTES OF AUGUST 12, 2019 COUNCIL MEETING

Gerald Boughter made the motion, seconded by Marie Tribioli, to approve the minutes from the August 12, 2019 meeting. Motion passed.

REPORTS

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

OLD BUSINESS

EAGLE SECURE SOLUTIONS

Manager Cody Rhoads reviewed the proposed service contract with Eagle Secure Solutions and felt it would be the best course of action for the borough. Marie Tribioli made a motion, seconded by Steve Tribioli, to enter into a service contract with Eagle Secure Solutions for IT services. Motion passed.

EARNED INCOME TAX

Ron Ricard apologized for not asking this question before passing the reports, but he was wondering what it means for the borough that EIT collections are at 80% of the budgeted total for the year and it's only the beginning of August. He questioned whether that is expected to taper off now through the end of the year. John Karinch answered that it is likely that the borough will see a higher total of revenue from the EIT than was budgeted for.

OPEN PIT RECREATION

Marie Tribioli said that she, Ray Fratini and Del Becker, Elizabethtown Authority Manager, visited the Open Pit. There are some areas that are accessible, but there would be a lot of work to be done. Mr. Becker would need to take a proposal to his board. Currently York leases their water supply, Lake Raymond and Lake Williams, for recreation purposes. Marie Tribioli has also contacted Fish and Game about the viability of using the open pit for this purpose.

DRY HYDRANT

John Karinch asked Tom Smith about the status of the dry hydrant. Tom Smith said he went to the site with Del Becker and Del was fine with the proposed location. Cody Rhoads and Barb Henry need to meet with PRL to reach an agreement for access to the location. There are no problems foreseen in getting that agreement in place.

IRONMASTER ROAD AND HEMLOCK LANE

John Karinch commented that the recently completed paving on Ironmaster Road looks great. Al Brandt said the Hemlock Lane paving looks good as well.

NEW BUSINESS

JEN WENTZEL, FERAL CAT ORDINANCE

Jen Wentzel, Furnace Street, thanked the board for the opportunity to speak tonight. She said after the ordinance was passed, she began to do a lot of research on the issue. She found the prohibition on feeding feral cats won't solve the issue. She found that a trap, neuter, release was still the best way to combat this problem.

John Karinch said when Jen Wentzel first came to him it was about the possibility of repealing the ordinance. He said he felt that was unlikely but wanted to open it up for discussion.

Nick Moehlman, Tice Lane, said he is the cat guy in his neighborhood. He has caught 40 cats and taken them to PAWS to be neutered. Once a male is neutered, he says they become territorial and prevent other feral cats from coming into the neighborhood. He feels eventually the colony will die out.

Jen Wentzel introduced Christine Arnold of the Nobody's Cats Foundation in Camp Hill. Ms. Arnold is willing to provide services to Jen's group if they get a stay on the ordinance. She said they have helped numerous community cat groups get up and running in the region. It includes free training, equipment and mentoring.

Ron Ricard asked how many volunteers would need to be trained. Ms. Arnold said in New Cumberland they only have five people and have reduced the colony. Ron then asked if there is a way to track the number of feral cats in the borough. Ms. Arnold said they would try to register the colonies in the borough to keep track. Ron Ricard asked what a sufficient amount of time would be to give this idea a try. Ms. Arnold said you'd likely see a change in a year.

Jen Wentzel said that while she doesn't have any feral cats, she would stay on top of this problem in the borough. She clarified that the cost of any action would be born by the caretaker of the colony.

Steve Tribioli asked what neutering would do to their damaging tendencies. Ms. Arnold replied that it greatly reduces those tendencies.

Lori Mattis, Sand Street, stated that she was going to ask the same thing as the feral cats have caused damage to their property. Ms. Arnold said those actions are hormonally driven and once those hormones are removed, it is reduced.

Marie Tribioli said she felt it would be a never-ending cycle. Once a colony dies out, another one will just move in. Ms. Arnold said that is why you need a comprehensive plan in place to combat it. Marie Tribioli felt that there is a committed group of volunteers but said the ordinance is to help those who don't want the cats around at all.

Steve Tribioli felt that anyone volunteering should register with the borough and if anyone outside of that list is feeding the feral cats, their neighbor has recourse.

Beth Yocum said that there is still a feral cat problem, and something needs to be done to combat it.

Marie Tribioli wondered what happens if the neighbors don't like the plan and said they haven't had any complaints since passing the ordinance.

Mark Thomas asked if the original problem that brought about the ordinance was fixed. Jen Wentzel said those feral cats were relocated.

Al Brandt made a motion, seconded by Beth Yocum, that contingent on coming to the next meeting with a more developed plan to allow this group one year to attempt to combat the feral cat problem. Motion passed.

SAND STREET WATER RUNOFF

Lori Mattis had been in to speak to Cody Rhoads and provided pictures of the water runoff in front of her residence when there is heavy rainfall. She said that before the development went in on Mountain Lane and Fairway Circle, there was never runoff like there is now. She feels that the water is not draining through the proper channels in that development.

Steve Dellinger said that the stormwater on Fairway Circle was designed to flow into the drainage basin on Mountain Lane. Lori Mattis said that Mr. Schwartz, the owner nearest the basin, told her that there is never any water in it.

Tom Smith commented that he went out nearly 10 years ago for the same issue and said the water wasn't getting to the Schwartz basin back then. They made some fixes that alleviated the problem for a year or so before it returned.

Council advised Steve Dellinger to further investigate the issue and report back.

WEST CORNWALL POLICE CONTRACT

Tabled for executive session.

ZONING ORDINANCE AMENDMENT

A change to 14-2217 Parking and Storage of Certain Vehicles was recommended by the planning commission. Section C was added. It states "The requirements of this Section shall not be applicable to working farm equipment and other working vehicles used in the Agricultural

District but which are not used as a means of conveyance on public highways.” Marie Tribioli made the motion, seconded by Gerald Boughter, to approve the amendment. Motion passed.

FURNACE STREET TREE ISSUE

Rose Ellen Leshar, Furnace Street, addressed the issue she is having with her neighbor’s trees. She feels they are in danger of falling over and causing damage to her property.

Marie Tribioli made the motion, seconded by Steve Tribioli, to approve the borough hiring a certified arborist to decide on the status of the trees in accordance with the borough’s ordinance. Motion passed.

STEVE BLACK, PALMER STREET DEDICATION

Council has received a punch list of 16 items that needs to be completed before the borough takes dedication of the street.

APPROVE 2020 PENSION PLAN MMO

Gerald Boughter made a motion, seconded by Marie Tribioli, to approve the 2020 Pension Plan MMO in the amount of \$47,902 for the police pension and \$111,933 for the non-uniform pension. Motion passed.

TRICK OR TREAT NIGHT

Gerald Boughter made a motion, seconded by Ron Ricard, to designate October 31st as Trick or Treat night from 6 p.m. to 8 p.m. Motion passed.

FIRE COMPANY PAYMENT

The fire company requested the remaining budgeted balance of \$7,235 as reimbursement for their recent purchase of gear. The remaining balance after they applied a grant to the purchase was \$11,767. Marie Tribioli made a motion, seconded by Gerald Boughter, to reimburse the fire company the total amount of \$11,767. Motion passed.

POLICE ADDITION PAYMENT

Gerald Boughter made a motion, seconded by Beth Yocum, to approve the second payment to M. Webster Construction in the amount of \$45,000. Motion passed.

ADJOURNMENT INTO EXECUTIVE SESSION

Council entered into executive session at 7:48 p.m. to discuss personnel and contracts.

Council reconvened the regular meeting at 8:25 p.m.

ADJOURNMENT

Gerald Boughter made the motion, seconded by Ron Ricard, to adjourn the meeting at 8:25 p.m. Motion passed.

Cody Rhoads
Secretary