

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING  
HELD ON MONDAY, MARCH 13, 2023, AT 6:30 P.M.  
AT CORNWALL UMC

Council President Bruce Harris called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT

Council President Bruce Harris, Council Vice President Bruce Conrad, Council Pro Tem Ron Ricard, John Karinch, Al Brandt, Thomas Burton, Beth Yocum and Mayor Mark Thomas

ALSO PRESENT

Borough Manager Cody Rhoads, Highway Superintendent Tom Smith and Police Chief Brett Hopkins

PUBLIC

Meeting attendance sheet is attached hereto.

EXECUTIVE SESSION

Council held an executive session on March 2<sup>nd</sup> to discuss a real estate transaction and personnel.

WATER AND SEWER BUSINESS

PUBLIC COMMENT – WATER & SEWER

Jeff Bamberger asked if the water pressure in Toytown could be increased. Mr. Conrad stated that the engineer has given them some ideas, such as opening and closing certain valves, but they believe that would only increase the PSI by 4 or 6 pounds. Mr. Conrad said residents could also install a booster pump inside their homes that would increase the pressure.

Jo Roussey spoke in favor of restarting the water and sewer authority.

NEW BUSINESS

RECOGNIZE COOPER EMLER – EAGLE SCOUT PROJECT

Mr. Harris reviewed Cooper Emler's Eagle Scout project, which consisted of attaching colored bands to each fire hydrant in the borough to display the amount of flow available at each location. Mr. Harris and Rich Stichter, Fire Company President, thanked Mr. Emler for his effort and presented him with a Certificate of Achievement.

CONSIDER ASSIGNING RESIDENT CONCERN ABOUT NEW METER TO WATER AND SEWER COMMITTEE

Mr. Rhoads stated that a resident was concerned with 5G technology associated with the new meter installations. Mr. Rhoads stated that 5G technology is not used with the new meters and the water and sewer committee wished to handle the issue. Council agreed to let the water and sewer committee address the complaint.

CONSIDER HIRING HYDROGEOLOGIST FOR \$7,800

Mr. Conrad stated that the hydrogeologist works for Entech Engineering and would be reviewing potential well sites in the borough. John Karinch made the motion, seconded by Ron Ricard, to hire the hydrogeologist for \$7,800. Motion passed.

CONSIDER AUTHORIZING EMERGENCY REPAIR TO COLLAPSED SEWER LINE IN TICE LANE FIELD - \$8,600

During a recent televising of the sewer lines, it was discovered that there was a complete collapse in the line that runs through the field on Tice Lane, near the natural gas pipeline, that needs to be repaired. Mr. Rhoads stated that Sunoco has agreed to pay up to \$10,000 for the repair. Ron Ricard made the motion, seconded by Beth Yocum, to authorize the emergency repair. Motion passed.

CONSIDER AUTHORIZING HIRE OF REYNOLDS FERRANTE AS CONSULTANT - \$15,000

Mr. Harris reviewed Dr. Ferrante's credentials, which include a long tenure as a professor at George Washington University. Mr. Harris stated Dr. Ferrante has been donating a lot of time to water and sewer projects on a volunteer basis so the department is asking council to consider giving him a stipend for his work. Beth Yocum made the motion, seconded by Ron Ricard, to authorize the hiring of Reynolds Ferrante as a consultant for \$15,000. Motion passed.

CONSIDER AUTHORIZING REQUEST FROM WATER AND SEWER COMMITTEE TO HOLD PUBLIC MEETINGS TO DISCUSS REESTABLISHING AUTHORITY AND NEW PROJECTS

Mr. Harris reviewed the history of the Borough disbanding the Water and Sewer Authority. He stated that this would be a major decision and he felt the residents needed an opportunity to hear the pros and cons while also being able to voice their opinion.

Julie Bowman asked if there was any data that the borough would be able to produce water cheaper than they are buying it for now. Mr. Harris responded that the water would need to be treated and there would be a cost, but the bigger concern was the allotment of water that borough receives from COLA, both now and in the future.

Greg Roussey said if it is found that the borough has the quality and quantity of water, they could turn around and sell the water.

Mr. Stichter asked if the borough had the land to build a treatment plant. Mr. Harris said they would likely have to find an area but did not think that would be a problem.

REPORTS

John Karinch made the motion, seconded by Bruce Conrad, to approve the water and sewer reports. Motion passed.

PUBLIC COMMENT

Jeremy Zimmerman felt that the listing of Boyd Street as a major road in the zoning ordinance was incorrect and should be updated to remove that classification.

Julie Bowman asked if council had any new information on the proposed access off Route 322. The borough has not received any updates on where that process stands. Ms. Bowman mentioned that their citizens group contacted PennDOT about filing a petition to intervene to make sure that their grievances are heard and addressed. PennDOT relayed though, that the citizens concerns should be represented by the municipality. She felt that the borough should appoint a traffic engineer to represent the interests of the community.

Mr. Conrad questioned if PennDOT should be considered the party that is representing the borough and its citizens concerns. Ms. Bowman thought that was a fair point but felt that the borough council questions Harrisburg at other times and believed it was a dereliction of duty that they have not hired a traffic engineer at this point.

There was discussion about having public meetings to discuss the issue further.

#### APPROVAL OF MINUTES

Ron Ricard made the motion, seconded by Bruce Conrad, to approve the minutes of the February 13, 2023 council meeting. Motion passed.

#### REPORTS

John Karinch made the motion, seconded by Bruce Conrad, to approve the reports. Motion passed.

#### OLD BUSINESS

##### CORNWALL CENTER

Mr. Harris said he has spoken with Senator Gebhard's office several times about the intersection. He was told it is on PennDOT's radar but no formal decision has been made.

##### CONSIDER AUTHORIZING AUDIT FOR COMCAST FRANCHISE FEE

Mr. Rhoads presented a proposal from Cohen Law Group for \$6,500 to do an audit of the Comcast Franchise Fee. Cohen's proposal states that in 65% of the audits, they found that the municipality was underpaid. Mr. Ricard asked how many years the audit would look at. That was not included in the proposal, but Mr. Rhoads can find that out.

Al Brandt made the motion, seconded by John Karinch, to table the matter until next month. Motion passed.

##### CONSIDER AUTHORIZING PROPOSAL FOR A/V PROFESSIONAL SERVICES

Mr. Conrad is working to set up a time for council to visit Illuminated Integration to view the proposed A/V setup. The tentative date is April 4<sup>th</sup>.

Irene Van Tassel spoke at length, giving reasons why she hopes council will not move forward with adding A/V equipment to the new meeting room.

It was decided to wait until other proposals are received to move forward with making a decision.

## NEW BUSINESS

### PARKS AND RECREATION

#### PRESENTATION BY KARLA FARRELL

Karla Farrell reviewed the process that the steering committee went through over the past eight months to get to the final product for the Parks and Recreation Master Plan. Ms. Farrell reviewed the final designs and pricing for each park, which can be found at <https://www.cornwallboroughrecreationplan.com>.

The steering committee decided that Snitz Creek Park would be Phase 1 and an application for a DCNR grant would be submitted early next month.

Mr. Karinch did realize a 50/50 match was required for the project when it was originally discussed. He asked Ms. Farrell what she thought the borough's chances were in getting the grant. Ms. Farrell believed the borough stood a great chance of receiving a grant because they have never received a DCNR grant and the plans incorporate many elements that DCNR views favorably. Ms. Farrell stated that the borough could obtain other grants to use as matching funds as opposed to using borough funds.

Ms. Yocum proposed that the \$250,000 matching funds come from the Capital Fund and get paid back to the fund over time. She felt the expenditure would bring a great benefit to the borough.

Mr. Conrad stated that the steering committee considered a few options and unanimously agreed to recommend the \$250,000 as matching funds with the intention that it be paid back via the acquisition of other non-matching grants.

There was a lengthy discussion about the pros and cons of applying for the grant and upgrading the recreation offerings in the borough.

#### CONSIDER AUTHORIZING MATCH AMOUNT FOR DCNR GRANT

John Karinch made a motion, seconded by Ron Ricard, to authorize a \$250,000 match for the DCNR grant from the Capital Fund with the intention that it is paid back. Motion passed 6-1 with Al Brandt voting against it.

#### RESOLUTION 2023-5 – APPLYING FOR DCNR GRANT

John Karinch made the motion, seconded by Ron Ricard, to adopt Resolution 2023-5 to apply for the DCNR grant. Motion passed.

#### CONSIDER AUTHORIZING APPRAISAL OF FREEMAN PROPERTY

Mr. Harris explained the Freeman Property is just shy of 200 acres and runs from Cornwall Road to Route 72. It is currently zoned agriculture. The property is not currently for sale and it is unclear when it might come on the market. Getting an appraisal would be the first step for the borough to begin its due diligence for a potential purchase in the future.

Ron Ricard made a motion, seconded by Bruce Conrad, to authorize getting an appraisal of the Freeman Property. Motion passed.

CONSIDER AUTHORIZING REQUEST FOR FIRST RIGHT OF REFUSAL FROM FREEMAN ESTATE

Mr. Rhoads explained that this would be a requirement to obtain grant funding for the purchase. This would be an agreement that states the borough has the first right to purchase the property when it comes on the market. John Karinch made the motion, seconded by Ron Ricard, to authorize the request for first right of refusal from the Freeman Estate. Motion passed.

CONSIDER AUTHORIZING SOLICITATION OF BIDS FOR 2023 PAVING PROJECTS

Tom Smith stated that the two roads planned for paving are Ash Lane from Hemlock to Hickory and the entrance of Spring Hill Acres from Route 72 to Aspen Lane. The estimated total would be \$240,000. Mr. Burton asked if those two projects were the most critical. Mr. Rhoads stated that they were.

Beth Yocum made the motion, seconded by John Karinch, to authorize soliciting bids for the 2023 paving projects. Motion passed.

Mr. Karinch asked about the status of the pipes under the entrance to Spring Hill Acres. Tom Smith stated that Chad Smith gave him a verbal confirmation that it would not be an issue to pave Spring Hill Lane and would follow with a written report. The pipes might have to be slip lined in the future but would not need to be replaced.

CONSIDER AUTHORIZING REDUCTION IN LETTER OF CREDIT FOR ANTHRACITE ROAD SUBDIVISION

John Karinch made the motion, seconded by Al Brandt, to reduce the letter of credit for the 60 Anthracite Road subdivision by \$67,140.88 with a remainder of \$13,500. Motion passed.

CONSIDER AUTHORIZING CURB RECONSTRUCTION ON REXMONT ROAD

Kresge Excavating submitted a quote for the curb reconstruction on REXMONT ROAD. The quote included a portion that needs to be reconstructed but it is not part of the wall that needs additional work. The borough will ask Kresge Excavating for an updated quote with that portion removed.

CONSIDER AUTHORIZING ATTENDANCE AT PSAB CONFERENCE

Council decided that anyone from council who wishes to attend should contact Mr. Rhoads to register them.

CONSIDER REESTABLISHING PUBLIC WORKS DEPARTMENT

Mr. Harris felt it would be more efficient to have one department that handles all the service in the borough. He was not asking for a vote tonight but asked council to consider the idea until the next meeting.

COMMENTS FOR THE GOOD OF THE ORDER

Mr. Harris stated he believes Chief Hopkins is planning on reviving National Night Out which would be on Tuesday, August 1<sup>st</sup>.

Mr. Stichter said that the fire company is always looking for volunteers.

Mr. Conrad reminded the residents that Coffee with Council will be on Wednesday at 10:30 a.m.

ADJOURNMENT

With no further business to conduct, Al Brandt made the motion, seconded by Tom Burton, to adjourn the meeting at 8:50 p.m. Motion passed.

Cody Rhoads  
Secretary