

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING
HELD ON MONDAY, MAY 8, 2023, AT 6:30 P.M.
AT SACRED HEART PARISH

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, Thomas Burton, Beth Yocum, Al Brandt and Mayor Mark Thomas

ALSO PRESENT

Borough Manager Cody Rhoads, Highway Superintendent Tom Smith, Police Chief Brett Hopkins and Solicitor Josele Cleary.

PUBLIC

Meeting attendance sheet is attached hereto.

PUBLIC COMMENT

Mr. Harris stated that Cornwall Properties submitted a new request for rezoning and they are currently being reviewed by the solicitor and engineer.

Mr. Harris said that the borough did purchase a zero-turn mower but had to go \$1,100 over the council authorization of \$10,000. The finance committee approved the additional expenditure.

Rob Anspach said that he received a threatening letter from the water department for not making contact to schedule a water meter replacement. Mr. Anspach stated that you can only shut the water off for non-payment. Solicitor Cleary clarified that service can be shut off for not following the rules and regulations and that is affirmed by the PUC as well.

Mr. Anspach said that there have been multiple instances, as seen on the radar sign, of vehicles traveling over 60 mph on Boyd Street. Most vehicles he viewed travel between 35 to 40 mph.

Jo Roussey asked if speed bumps could be a solution. Mr. Harris stated that there is a liability issue with speed bumps on a public road.

Chief Hopkins will set up a speed detail.

Mr. Anspach said that 313 Boyd Street has been vacant since 1985 and there is now a tree growing into the house. He asked if there was anything that could be done. Mr. Harris said that in the past they have sent ordinance violations to the owner, who lives in New York, to remedy the property maintenance issues.

Solicitor Cleary said there is not a property maintenance code in the borough, but there is an option under the nuisance ordinance. Solicitor Cleary said that condemnation is usually done under a property maintenance code, but there is a state statute for blight.

WATER AND SEWER BUSINESS

NEW BUSINESS

CONSIDER AUTHORIZING EMERGENCY SEWER REPAIR, SILVER ROAD

The line has a crack in it that allows a good amount of groundwater to enter the system. John Karinch made the motion, seconded by Bruce Conrad, to authorize the emergency sewer repair at a cost of \$3,150. Motion passed.

CONSIDER AUTHORIZING CHAIRMAN TO SIGN NORTH CORNWALL AGREEMENT

There are a few minor items that need to be finalized. The topic was tabled until the June meeting.

REPORTS

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

BOROUGH BUSINESS

APPROVAL OF MINUTES

Al Brandt made the motion, seconded by Bruce Conrad, to approve the minutes of the April 10, 2023 council meeting. Motion passed.

REPORTS

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

Mr. Harris read the budget report for April.

Stan Alekna questioned how the EIT is tracked. Mr. Rhoads stated that there is an EIT committee comprised of municipal and school district representatives that meets quarterly. He keeps an eye on all the disbursements and reviews the reports, but there is no good process to match it up one to one.

OLD BUSINESS

DISCUSS PROCESS FOR REPORTING A ZONING VIOLATION

Mr. Harris stated this is something that has been discussed for a year now, but no action has been taken. There was a discussion as to whether a complaint should be allowed to be submitted anonymously. Ms. Cleary clarified that a complaint is exempt from a Right-to-Know request.

Ms. Cleary explained why she felt this process should be implemented as a policy and not as a change to the ordinance. She stated that an ordinance should not go beyond the Municipalities Planning Code (MPC).

Ms. Cleary explained that any enforcement needs to start with a formal notice and reviewed the process. Mr. Alekna did not think the zoning officer should have the unilateral authority to bring enforcement and that portion should be removed from the ordinance.

It was decided to table the issue until next month's meeting.

CONSIDER AUTHORIZING RFP FOR ZONING ORDINANCE UPDATE

Mr. Rhoads explained that Gannett Fleming submitted an RFP for the zoning ordinance update. Gannett Fleming will also be doing the Joint Comprehensive Plan update. North Cornwall and North Lebanon both felt that this might constitute a conflict of interest. West Cornwall and South Lebanon did not have an issue with a conflict.

Mr. Harris stated that the cost was \$25,142 and it is not a budgeted item. Mr. Rhoads stated that Gannett Fleming also felt that this process might be better suited to occur after the Joint Comprehensive Plan is completed.

Mr. Rhoads said that the options would be to move forward with Gannett Fleming despite the concerns of the other municipalities, seek out other firms to provide an RFP or not move forward with the project. Council decided not to move forward with the project at this time.

NEW BUSINESS

CONSIDER AUTHORIZING ENGINEER TO INVESTIGATE WATER STREET PIPE ISSUE

Tom Smith stated that a hole had opened in the line and while the public works department repaired it, additional work will be needed. He felt that with running water going through the pipes, complete replacement would be beyond the scope of what the borough could do on their own and requested the engineer review it.

John Karinch made the motion, seconded by Beth Yocum, to authorize the engineer to review the pipe on Water Street and determine a course of action. Motion passed.

CORNWALL AUTHORIZING AMENDING ORDINANCE - CHICKENS

The Planning Commission was recommending the ordinance be amended to allow for a maximum of 15 chickens and a maximum 10' by 10' coop. Solicitor Cleary reviewed the current ordinance relating to the keeping of chickens.

Al Brandt made the motion, seconded by John Karinch, to amend the ordinance to allow for a maximum of 15 chickens, a maximum 10' x 10' coop and no free-range chickens. Motion passed 6-1 with Thomas Burton voting against.

CONSIDER ADOPTING RESOLUTION 2023-6 – APPLICATION FOR DCED GRANT

The Greenways, Trails and Recreation grant has a maximum ask of \$250,000 with a 15% match and can be used as a match for the DCNR grant the borough previously applied for.

Al Brandt made the motion, seconded by John Karinch, to adopt Resolution 2023-6 to apply for the DCED grant. Motion passed.

CONSIDER AUTHORIZING GENERAL CODES UPDATE

General Code recently bought Code Publishing, who currently serves as the borough's vendor for codifying ordinances and placing them on the website. There will be an increase in price and the borough was offered the premium tier (\$1,195) at the standard tier price (\$695) until September 1, 2024. Mr. Rhoads reviewed the additional services with the premium tier and felt it would be beneficial to try the premium tier.

Al Brandt made the motion, seconded by Thomas Burton, to authorize accepting General Code's offer to use the premium tier at standard tier pricing until September 1, 2024. Motion passed.

CONSIDER AUTHORIZING VOTING DELEGATE FOR PSAB CONFERENCE

John Karinch made the motion, seconded by Al Brandt, to authorize Ron Ricard as the voting delegate and Thomas Burton as the alternate voting delegate. Motion passed.

POLICE STATION WORK

Mr. Harris explained that there was exterior work scheduled to be done at the police station before COVID and that it was never completed. He received one quote from Fairview Builders for \$13,725 to install nine windows, soffit, cap the beams and cover two windows. The borough can eliminate some of the work to get below \$12,500 or can request other estimates.

Ray Fratini offered to complete the work at no cost if the borough provides the material and additional labor as needed. Council commended Mr. Fratini on the work he completed at the borough office and took him up on his offer.

EXECUTIVE SESSION

Al Brandt made the motion, seconded by John Karinch, to adjourn into executive session at 7:54 p.m. Motion passed.

Al Brandt made the motion, seconded by John Karinch, to reconvene the regular meeting at 8:54 p.m.

ADJOURNMENT

With no further business to conduct, Al Brandt made the motion, seconded by John Karinch, to adjourn the meeting at 8:54 p.m. Motion passed.

Cody Rhoads
Secretary