

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING
HELD ON MONDAY, JUNE 12, 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 and Mayor Mark Thomas

ALSO PRESENT

Borough Manager Cody Rhoads, Police Chief Brett Hopkins, Solicitor Josele Cleary and Borough Engineer Chad Smith

ABSENT

Al Brandt

PUBLIC

Meeting attendance sheet is attached hereto.

PUBLIC COMMENT

Ron Morrison stated that like everywhere, his grass is dead and burnt out. However, there is one strip in his yard that is green and lush. He felt that this was an indication of a leak. Tom Smith stopped at his property and listened to the curb box but did not hear any leaks. Mr. Morrison said he has also had an issue with his sewer backing up at times. Mr. Morrison understood that the lines had not been dedicated and asked whose responsibility a repair would be.

Mr. Rhoads confirmed Mr. Smith and Ryan Peters both visited the property and did not hear any leaks. They also tested the water in the curb box, and it did not have a chlorine residual, which indicates it was not from a leak. Mr. Rhoads said that even if the facilities were dedicated, the homeowner is responsible from the curb box to the home on the water side and from the trap to the home on the sewer side. He did not know what arrangement homeowners have with the developer of Northgate for situations like this. The borough will continue to work with Mr. Morrison to try to determine if there is an issue.

Marie Tribioli had concerns about the parks and recreation plan for Goosetown. She said that a lot of residents in Goosetown get water in their basements during heavy rain and asked Council to rethink their plans before making any changes to the landscape.

Kathy Sanderson said she also gets so much water in her basement that the fire company needs to pump it out. She said that a BMX track would cover houses in dirt and not allow people to hang out their wash. She wants the borough to leave their portion of town alone.

Ms. Sanderson said that a neighbor directs their stormwater onto her property which exacerbates her problem.

Ms. Cleary said that if a homeowner installs facilities to direct stormwater onto another property, it would be a violation. If the stormwater has always naturally flowed onto the property, then it would not be a violation.

Steve Tribioli said that he has spoken to many neighbors and has created a petition to oppose the plans for Goosetown. He said kids are glued to their phones and the amenities would be wasted anyway. He said the insurance rates for a skatepark would be astronomical. Mr. Tribioli said the value of his home would decrease with the improvements to the park.

Mr. Burton said those plans might not come to fruition for five or ten years. He said the borough had many public meetings for the plans and nobody came to voice those concerns.

Scott Helm had concerns about people swimming in the open pit. He said that the prior day he counted 30 people parking in his neighborhood and hiking to the pit. Chief Hopkins said the best thing to do is call the police department and report it when it is happening. He said they issued 30 citations last year and there are a lot of people they do not catch.

The water and some adjacent lands are owned by Elizabethtown Area Water Authority and Cornwall Properties owns the land that the trespassers cross over to reach the water. Mr. Harris felt it would be appropriate to notify those two entities of the issues that are occurring. Ms. Cleary will craft a letter to send to them.

Mr. Helm also asked if speed enforcement could be done in Burd Coleman. Chief Hopkins said they issued five citations there yesterday.

WATER AND SEWER BUSINESS

NEW BUSINESS

CONSIDER AUTHORIZING CONTRACT WITH WBA INC. FOR \$113,622.38 FOR NEW SCADA SYSTEM

SCADA is a telemetry system that automatically controls the borough's water tanks. Mr. Conrad stated that this was the lowest bid by roughly \$80,000. Entech Engineering vetted the company and recommended accepting the bid.

John Karinch made the motion, seconded by Thomas Burton, to authorize the contract with WBA Inc. for \$113,622.38 for the new SCADA system. Motion passed.

CONSIDER AUTHORIZING HIRING ASSOCIATE DIRECTOR

Council will discuss this in executive session.

CONSIDER AUTHORIZING CHAIRMAN TO SIGN NORTH CORNWALL AGREEMENT

There was no update this month so it will be tabled until July.

REPORTS

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

BOROUGH BUSINESS

APPROVAL OF MINUTES

Bruce Conrad made the motion, seconded by Beth Yocum, to approve the minutes of the May 8, 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 May.

OLD BUSINESS

DISCUSS PROCESS FOR REPORTING A ZONING VIOLATION

Mr. Karinch said that the committee created forms to fill out and submit if there is a complaint for a zoning violation. The forms will be placed on the borough website.

John Karinch made the motion, seconded by Bruce Conrad, to implement the policy for reporting a zoning violation. Motion passed.

CONSIDER AUTHORIZING AMENDING ORDINANCE - CHICKENS

Mr. Rhoads stated that he had provided Council with a copy of the ordinance. The only difference he noticed was that Ms. Cleary included a prohibition on roosters and he did not know if that was the Council's wish. The Council agreed with prohibiting roosters.

Beth Yocum made the motion, seconded by John Karinch, to authorize amending the zoning ordinance to update the section dealing with the keeping of chickens. Motion passed.

NEW BUSINESS

IRONMASTER ROAD SUBDIVISION

CONSIDER AUTHORIZING WAIVERS FOR THE PLAN

Josh Boulton, Pioneer Management, was in attendance representing the project. The tract is 5.4 acres and is proposed to be subdivided into four residential lots. Mr. Boulton requested 13 waivers for the project but explained that most of them are minor and some are duplicated because of complying with different parts of the ordinance. Mr. Karinch stated the Planning Commission reviewed the waiver requests and recommended that the Council grant them.

Mr. Boulton stated that the Planning Commission asked them to widen the entrance of the shared driveway, which they will do. There was also a waiver requested for widening the road. Ms. Cleary stated that it is common to grant a deferral for road widening, sidewalks and curbing as opposed to giving an outright waiver. That way in the future, if the borough requires any of those items, it is clear who is responsible for installing them.

There was discussion as to which sewer lines should be dedicated to the borough.

Mr. Harris asked if the land to the west of the last home could be developed in the future. Mr. Boulton stated that they had to create a conservation plan for the development and that area is a part of that, so it will not be able to be developed.

Mayor Thomas asked if all the homeowners would be aware of the shared facilities. Mr. Boulton said agreements related to those items would be recorded and that the homeowners would be aware of that. Ms. Cleary said agreements would need to be in place for the stormwater and conservation easements as well.

Ron Ricard made the motion, seconded by Beth Yocum, to grant the requested waivers, conditioned on notes being put on the plan acceptable to the solicitor to defer the curb, sidewalk and road widening and dedication of additional right of way. Motion passed.

CONSIDER AUTHORIZING CONDITIONAL FINAL PLAN APPROVAL

John Karinch made the motion, seconded by Ron Ricard, to grant conditional final plan approval conditioned on the June 2nd letter from the engineer, plus entering into agreements acceptable to the solicitor related to the stormwater management, conservation, and sewer easements. Motion passed.

CORNWALL MANOR

CONSIDER AUTHORIZING WAIVERS FOR THE PLAN

Paul Weidman, Cornwall Manor, was in attendance representing the project. He explained that they have been working on this project for a few years. It includes a clubhouse, 78 apartments, an additional entrance on Ironmaster Road and some interconnected roads on their campus.

Ms. Cleary said that since these are private streets the same concerns are not there for curbing and sidewalks. Her only recommendation in addition to the June 5th engineer's letter was the standard stormwater agreement. Mr. Karinch said the Planning Commission reviewed the requested waivers and recommended that the council grant them.

John Karinch made the motion, seconded by Bruce Conrad, to authorize the waivers for the plan. Motion passed.

CONSIDER AUTHORIZING CONDITIONAL FINAL PLAN APPROVAL

John Karinch made the motion, seconded by Bruce Conrad, to conditionally approve the final plan based on the June 5th engineer's letter. Motion passed.

CONSIDER AUTHORIZING REDUCTION IN ALDEN PLACE LOC

Chad Smith completed multiple inspections and was recommending a release of \$331,882.80 which will leave \$272,541.85 remaining. That would cover the wearing course, landscaping, and a few other odds and ends to finish up the development.

John Karinch made the motion, seconded by Bruce Conrad, to reduce the letter of credit in the amount of \$331,882.80. Motion passed.

CONSIDER REQUEST TO IMPLEMENT FIRE COMPANY VOLUNTEER INCENTIVE PLAN

Mr. Harris said that Council has been exploring ways to attract and retain volunteer firefighters. One idea that was proposed was an incentive program. He asked the president of the fire company, Rich Stichter, and the chief, Mark Miller, to develop a plan for review. A points system was developed, and Mr. Harris estimates it would cost the borough roughly \$18,000 per year.

Mr. Stichter explained that a volunteer would get 1.5 points for responding to a call and the Chief would receive 2 points for responding to a call. Equipment checks would receive 1.5 points per hour, training would receive 1 point per hour and administrative work would receive 0.5 points per hour. Each point would equal \$10. This system would have cost the borough \$6,830 to date this year.

Ron Ricard asked how this would be paid. Mr. Stichter would like to make the payments semi-annually. Ms. Cleary stated that the borough does not have any authorization to pay the firefighters or fire police. She said the borough does have the authority to make payments to the fire company. There can be an agreement that if the fire company provides records to the borough documenting the hours discussed in the incentive plan, the borough can provide money to the fire company that could then be disbursed to the individual firefighters and fire police.

John Karinch made the motion, seconded by Beth Yocum, to adopt the incentive plan retroactive to January 1st, 2023. Motion passed 5-0 with Thomas Burton abstaining.

CONSIDER AUTHORIZING HIRING PART-TIME POLICE OFFICER

Chief Hopkins asked that this be tabled until next month.

CONSIDER AUTHORIZING FIRE POLICE TO ASSIST AT LEBANON FAIR

Mr. Harris stated that there was a request to allow the fire police to assist at the Lebanon Fair. The fire police stated that they unfortunately did not have anybody available on those dates so they would not be able to assist.

CONSIDER AUTHORIZING HIRE OF SETH NOLL AS SUMMER HELP

Mr. Rhoads said that Mr. Noll is a teacher in the Lebanon School District and was willing to help for the summer.

John Karinch made the motion, seconded by Bruce Conrad, to hire Seth Noll as summer help. Motion passed.

COMMENTS FOR GOOD OF THE ORDER

Jeff Bamberger asked if the borough would be required to put a fence around the open pit if they purchased. He was told that it would be a possibility. He asked when the meetings would be held at the borough office again. Council hopes the next meeting will be there.

Jeremy Zimmerman asked if there was any progress on a Cornwall Properties submittal. Ms. Cleary said she has not heard back regarding her comments.

Bruce Conrad reminded everyone of Coffee with Council on Wednesday at 10:30 a.m.

Chief Hopkins said National Night Out will be on August 1st at the bus garage property the borough is leasing across from the elementary school.

EXECUTIVE SESSION

John Karinch made the motion, seconded by Bruce Conrad, to adjourn into executive session at 8:28 p.m. Motion passed.

John Karinch made the motion, seconded by Bruce Conrad, to reconvene the regular meeting at 9:24 p.m.

ADJOURNMENT

With no further business to conduct, John Karinch made the motion, seconded by Bruce Conrad, to adjourn the meeting at 9:24 p.m. Motion passed.

Cody Rhoads
Secretary