

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING  
HELD ON MONDAY, DECEMBER 12, 2022, AT 6:30 P.M.  
AT SACRED HEART CHURCH

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, Highway Superintendent Tom Smith, Police Chief Brett Hopkins and Borough Engineer Jeff Steckbeck

ABSENT

Al Brandt

PUBLIC

Meeting attendance sheet is attached hereto

STATEMENT FROM COUNCIL PRESIDENT

Bruce Harris started the meeting by recognizing Fire Company President Jeff Starner, who passed away on Thanksgiving Day. Mr. Harris stated that Mr. Starner was involved with the fire company for a long time and the borough lost a great guy.

Tom Burton shared his thoughts on Mr. Starner as well.

WATER AND SEWER BUSINESS

PUBLIC COMMENT – WATER & SEWER

None

NEW BUSINESS

CONSIDER AUTHORIZING ADVERTISING ORDINANCE FOR CREATION OF AUTHORITY

Mr. Harris stated that the Water and Sewer Committee still does not have all the information that they need to make a recommendation to Council. The item was tabled until next month.

CONSIDER ADOPTING RESOLUTION 2022-16 – SEEK GRANT FROM PA SMALL WATER PROGRAM

Mr. Rhoads explained that this grant would be for upgrades to the electrical panels at both pump stations. John Karinch made the motion, seconded by Bruce Conrad, to adopt Resolution 2022-16. Motion passed.

## REPORTS

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

## PUBLIC COMMENT

Julie Bowman asked for a call to action for the jake brake issue that was brought up last month. She said there were articles on Lebtown from 2020 related to the issue in Cornwall and there is still an ongoing problem. Mr. Harris stated that they plan to speak to Senator Gebhard's office to see if there is any help they can provide. Chief Hopkins said they have been trying to control the issue as well.

Ms. Bowman asked who the zoning officer is for the borough. Mr. Harris stated that in terms of enforcement, it is Jeff Steckbeck. In terms of formulating ordinances, that would fall to council. Ms. Bowman asked who would give council advice. Mr. Harris said the solicitor, zoning officer and planning commission could give input. Ms. Bowman thought it would be better to be proactive as opposed to reactive when it comes to modifying the zoning ordinance, so it best protects all the residents.

Rob Anspach thought the role of the Ad Hoc Committee should be defined. They are just an advisory committee, but he felt pressure was being added to the group.

Dan Dixon thanked the members of Council who attended Christmas in Toytown and thanked the planning committee for a job well done.

Greg Roussey said that Karla Farrell is looking to have another public meeting in January for the recreation plan. He encouraged residents to visit the website created for the project to leave their comments.

## APPROVAL OF MINUTES

John Karinch made the motion, seconded by Bruce Conrad, to approve the minutes of the November 14, 2022 council meeting. Motion passed.

## REPORTS

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

Mr. Harris read a letter from Tom Sheridan complimenting the work of the highway department.

Mr. Harris read the budget report for November 2022.

## OLD BUSINESS

### CONSIDER AUTHORIZING JOINING CORNWALL-LEBANON REGIONAL COMP PLAN

Jeff Steckbeck reviewed the Cornwall-Lebanon Regional Comprehensive Plan and the reasons for why it was created. There are shared services between some of the municipalities such as police and fire services as well as the five municipalities using the City of Lebanon Authority for sewer service. This would allow representatives to sit down with each other and see what is

happening in the neighboring municipalities. It would then be up to each individual municipality to then take the plan and fit it in to their individual zoning ordinance.

Stan Alekna asked about joint zoning. Mr. Steckbeck clarified that the comprehensive plan and zoning ordinances are two different things. A comprehensive plan is non-binding. Joint zoning could be pursued, but that is not a requirement of a joint comprehensive plan. Mr. Steckbeck said a municipality can gain by having joint zoning by not having to provide for every use, but the downfall is they give up some of their sovereignty.

Mr. Karinch asked what the cost would be to do our own comprehensive plan. Mr. Steckbeck said it could be upwards of \$20-30,000 compared to, at most \$12,000 for an update to the regional comprehensive plan.

Bob Peterson, who is on the comprehensive plan committee, was in favor of joining the regional comprehensive plan. He felt the professionals at Gannett Flemming would be better equipped to update the plan for a lower cost.

Ron Ricard made the motion, seconded by Beth Yocum, for Cornwall Borough to join the Cornwall-Lebanon Regional Comprehensive Plan. Motion passed.

#### NEW BUSINESS

##### CONSIDER AUTHORIZING ORDINANCE 2022-4 – ADMINISTRATION OF UCC

This removes the reference to the County administering the Uniform Construction Code and changes it to an entity appointed by Council. Currently, Commonwealth Codes serves in this role. John Karinch made the motion, seconded by Ron Ricard, to authorize Ordinance 2022-4. Motion passed.

##### CONSIDER AUTHORIZING RESOLUTION 2022-14 – AGREEMENT WITH MT. GRETNA FOR POLICE SERVICES

John Karinch made the motion, seconded by Beth Yocum, to adopt Resolution 2022-14 which is an agreement to provide police services for Mt. Gretna from 2023 to 2025. Motion passed.

##### CONSIDER AUTHORIZING RESOLUTION 2022-15 – AGREEMENT WITH WEST CORNWALL FOR POLICE SERVICES

Bruce Conrad made the motion, seconded by Beth Yocum, to adopt Resolution 2022-15 which is an agreement to provide police services for West Cornwall from 2023 to 2025. Motion passed.

##### CONSIDER AUTHORIZING RESOLUTION 2022-17 – SETTING TAX RATE FOR 2023

Bruce Conrad made the motion, seconded by John Karinch, to adopt Resolution 2022-17 which sets the tax rate at 2.25 mills for 2023. Motion passed.

##### CONSIDER ADOPTING 2023 BUDGET

Bruce Conrad made the motion, seconded by Ron Ricard, to adopt the 2023 budget. Motion passed.

CONSIDER AUTHORIZING RELEASE OF FINANCIAL SECURITY FOR 300 IRON VALLEY DRIVE

John Karinch made the motion, seconded by Bruce Conrad, to release financial security in the amount of \$28,577.50 for 300 Iron Valley Drive. Motion passed.

CONSIDER REAPPOINTING RAYMOND FRATINI TO PLANNING COMMISSION

Beth Yocum made the motion, seconded by John Karinch, to reappoint Raymond Fratini to the planning commission for a five-year term. Motion passed.

CONSIDER REAPPOINTING HOWARD MCFADDEN AS REFUSE AUTHORITY REPRESENTATIVE

Bruce Conrad made the motion, seconded by Ron Ricard, to reappoint Howard McFadden as the borough's Refuse Authority representative for a five-year term. Motion passed.

Mr. Harris said if there is ever anything to share, Mr. McFadden is more than welcome to do so. Mr. McFadden stated one of his goals would be to see the borough recycle more. Cornwall recently received an award for the most improvement, but still lags other municipalities in recycling percentage.

Mr. Rhoads stated that Sandy Schera will be moving out of the borough and therefore did not want to be reappointed. Chet Horst is going to move from the alternate position to fill her position. Mr. Rhoads will look for an alternate.

CONSIDER AUTHORIZING SOLICITOR TO REVIEW ZONING ENFORCEMENT PROCESS

Mr. Rhoads stated that the committee formed to come up with a process for how to handle complaints of zoning violations has done so. It will be forwarded to the solicitor for review. Council did not feel there needed to be a motion to do so.

CONSIDER AUTHORIZING FIRE COMPANY REQUEST FOR THE PURCHASE OF EQUIPMENT

Mr. Rhoads reviewed the request from the fire company for five new sets of gear with a total cost of \$15,094.40. The fire company was approximately \$3,000 under their budgeted amount for this year and there is \$12,000 budgeted for training and equipment in 2023. Ron Ricard made the motion, seconded by John Karinch, to approve the purchase of five sets of gear at a cost of \$15,094.40. Motion passed.

CONSIDER AUTHORIZING BOROUGH ENGINEER AND TOM SMITH TO INSPECT IRON VALLEY DRIVE

Mr. Harris stated that Byler's proposed residential plan would have a public street connecting to Iron Valley Drive, which is currently a private street. Mr. Byler has asked if the borough would consider accepting dedication of Iron Valley Drive as well. Mr. Byler would be able to dedicate the portion of Iron Valley Drive from Rexmont Road to a point near the exit of the golf course. One of the HOAs would have the option to dedicate the remaining portion of the street. Mr. Harris felt like the issue should not move forward until the HOA indicates that they would dedicate the remaining portion.

Bob Peterson, who is the head of a different HOA in Iron Valley, felt like that was a correct decision. He stated that they would still like to pursue adding a gate on Iron Valley Drive.

Mr. Ricard asked if the road was built to borough specifications. Mr. Karinch said it is believed the only thing not to spec was the lack of curbing.

Fred Jones, the head of the HOA in Iron Valley who can dedicate the road, said he felt borough council should table this until after the HOA has their annual meeting in January. He felt there would be a good idea of which way the HOA would go after that meeting.

Ms. Bowman asked if there was any reason for the urgency in dedicating the road. Mr. Harris did not think there was any urgency as it would not affect anything related to zoning.

After further discussion, it was decided to table the matter until more information is received.

CONSIDER AUTHORIZING SOLICITOR TO INVESTIGATE CORNWALL HILLS  
STREAM ISSUE

Mr. Rhoads explained that there was a group of residents from Hillside Street at the Planning Commission meeting who were concerned about the creek flooding their properties. There was discussion about the issue and one thing that came up was the debris in the creek. The creek is technically owned by residents on Cornwall Hills Drive, and they would be responsible for cleaning any debris out. The Planning Commission suggested discussing the issue with the solicitor.

Mr. Steckbeck reviewed that there were previous issues with flooding when historic storms such as Lee occurred. There are limitations as to what a borough could do regarding mitigation. Mr. Steckbeck said that the Planning Commission was asking for the solicitor to be consulted to see what can be done. Mr. Steckbeck said the borough tried to get DEP involved back in 2013, but they declined.

After further discussion, it was decided to table the matter.

CONSIDER AUTHORIZING CLOSURE OF BOROUGH OFFICE BETWEEN CHRISTMAS  
AND NEW YEAR'S

Mr. Harris stated that the office has closed between the holidays for the last two years while staff uses vacation time. Emails and voicemails are checked on a regular basis. Council had no issue with closing the office.

COMMENTS FOR THE GOOD OF THE ORDER

Mr. Harris stated that the conversion of the garage into a new meeting has begun.

Mr. Conrad stated that Coffee with Council will be Wednesday at 10:30 a.m.

ADJOURNMENT

With no further business to conduct, John Karinch made the motion, seconded by Ron Ricard, to adjourn the meeting at 8:06 p.m. Motion passed.

Cody Rhoads  
Secretary