

MINUTES OF THE CORNWALL BOROUGH COUNCIL  
SPECIAL MEETING HELD ON WEDNESDAY, DECEMBER 19, 2012  
AT 6:00 P.M. IN THE CORNWALL BOROUGH OFFICE

The meeting was called to order at 6:00 p.m. by Council President Joe Keaney.

PLEDGE OF ALLEGIANCE

PRESENT

Joe Keaney, Beth Yocum, Gerald Boughter, Rob Koehler, Mike Thomas, Bob Thomas, John Karinch and Mayor Mark Thomas

BOROUGH OFFICIALS

Tom Smith and Bruce Harris

PUBLIC

Josh Weaber, Jay Williams and Stan Alekna

NEW BUSINESS

SCHAEFFER – JOSELE CLEARY

Mr. Keaney read correspondence received from Josele Cleary concerning the Sanderson Vs Schaeffer case. The Borough has two basic options to consider. The first would be to simply do nothing and allow a default judgment to be entered against the Borough. The default judgment would serve to eliminate any right, title or interest of the Borough in Pyrite Court. Since the Borough has no right, title or interest, the Borough would not be adversely affected by a default judgment. Doing nothing would be the most cost-effective course of action.

The second course of action for the Borough would be to file an answer within the required time period setting forth the above described legal principles which would alert the court and the parties to the statutory provisions and case law discussed above. If Council decides that the Borough should not file an answer, if Council desires we can forward a letter to counsel indicating that the Borough has no objection to a default judgment being entered against the Borough explaining under the above discussed statutory sections and case law the Borough has no right, title or interest to Pyrite Court.

After a discussion it was decided by a motion by Bob Thomas and seconded by Beth Yocum to select option one and do nothing. Motion passed.

COMCAST

It was decided to proceed with a 10 year term and 5% commission payment on the next Comcast Agreement.

COUNTY AID – REXMONT ROAD BRIDGE - \$40,000.00

Gerald Boughter made the motion, seconded by Bob Thomas to approve the County Aid application in the amount of \$40,000.00 which will be used to help fund the bridge replacement. Motion passed.

#### BUDGET APPROVAL

##### ADMINISTRATION – SALARIES

John Karinch made the motion, seconded by Beth Yocum to approve a 2% salary increase for Steve Danz and Janelle Salem. Motion passed with Bob Thomas and Mike Thomas opposed.

##### HIGHWAY – SALARIES

Rob Koehler made the motion, seconded by Gerald Boughter to approve a 2% salary increase for the Highway Employees. Motion passed with Bob Thomas and Mike Thomas opposed.

#### BUDGET APPROVAL

It was decided to estimate revenues until the end of year for Account 310.210, to put the \$40,000.00 (County Aid) in the budget. It was then moved by John Karinch, seconded by Beth Yocum to adopt the 2013 budget as amended. Motion passed with Bob Thomas and Mike Thomas opposed.

##### ORDINANCE 2012-4 – TAX RATE 1.38 MILLS

Beth Yocum made the motion, seconded by John Karinch to adopt Ordinance 2012-4 which sets the millage rate 1.38. Motion passed, with a 4-3 vote Mike Thomas, Rob Koehler and Bob Thomas opposed. Said motion was not aligned with the notice published in the local paper.

##### MAYOR VETOED – ORDINANCE 2012-4 – 1.38 MILLS

Mayor Thomas vetoed Ordinance 2012-4 that set the millage at 1.38 mills.

##### ORDINANCE 2012-4 – TAX RATE 1.25 MILLS

A motion was made by Rob Koehler, seconded by Mike Thomas to adopt Ordinance 2012-4 which sets the millage at 1.25. Motion passed with John Karinch, Beth Yocum and Joe Keaney opposed. This motion is in line with the paper advertisement.

##### RESOLUTION 2012-4 – SALARIES/WAGES

Gerald Boughter made the motion, seconded by John Karinch to adopt Resolution 2012-4. Motion passed with Bob Thomas and Mike Thomas opposed.

##### REXMONT ROAD BRIDGE

There was a discussion on how to proceed with financing for the bridge replacement there were two scenarios one being to finance the full amount of \$200,000.00 or borrowing an amount minus the \$40,000.00 County Aid Grant and \$50,000.00 in Capital Project Fund.

#### ADJOURNMENT

Gerald Boughter made the motion, seconded by John Karinch to adjourn the meeting. Motion passed.

Steven N. Danz  
Secretary