

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

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

ABSENT

Al Brandt

ALSO PRESENT

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

PUBLIC

Meeting attendance sheet is attached hereto.

PUBLIC COMMENT

Bruce Harris said that there will be a meeting on December 13th at 6:30 p.m. at Cornwall Elementary School to discuss the lead and copper mandate from the Environmental Protection Agency. Every water and sewer customer will receive a survey in the mail. It is important to fill out and return to the borough.

Mr. Harris said that Al Brandt has moved out of the borough. The borough hasn't received a letter of resignation yet, but Mr. Harris asked that anyone interested in filling the remaining two-year term should submit a letter of interest to the borough.

APPROVAL OF MINUTES

Bruce Conrad made the motion, seconded by Ron Ricard, to approve the minutes of the October 9, 2023 and October 24, 2023 council meetings. Motion passed.

REPORTS

Mr. Harris read the budget report for October. John Karinch made the motion, seconded by Bruce Conrad, to approve the reports. Motion passed.

NEW BUSINESS

CONSIDER AUTHORIZING STORMWATER EXEMPTION – TONY'S MINING COMPANY

Chad Smith advised that Tony's wants to add a stone parking lot. There is a stormwater exemption for projects that do not exceed 10,000 sq. feet. This project is 9,993 sq. feet so it meets the exemption criteria.

John Karinch made the motion, seconded by Bruce Conrad, to authorize a stormwater exemption for Tony's Mining Company. Motion passed.

CONSIDER AUTHORIZING REPLACEMENT OF 1996 INTERNATIONAL

Mr. Harris stated that if the borough orders a dump truck today it will not receive it until 2025. The borough currently budgets for trucks in the Highway Equipment fund, which currently has \$115,000.

Ron Ricard made the motion, seconded by Beth Yocum, to authorize the replacement of the 1996 International. Motion passed.

CONSIDER AUTHORIZING UPDATE TO WATER RULES AND REGULATIONS

Mr. Rhoads stated that the Water and Sewer Committee wish to amend the rules and regulations to allow for business EDUs to be audited every five years.

Bruce Conrad made the motion, seconded by John Karinch, to authorize updating the Water Rules and Regulations. Motion passed.

CONSIDER AUTHORIZING POLICE CONTRACT FOR 2024-2026

Mr. Harris reviewed that the contract sees increases of 8%, 4.5% and 4.5% over the next three years along with the shift differential being raised from \$1.25 per hour to \$3.00 per hour. There is a sick leave buyout for officers who work 20 years and retire, with the amount not to exceed \$5,000. The contribution for health insurance was raised to 6%. Mr. Harris stated that this contract brings the department more in line with the rest of the county.

Ron Ricard made the motion, seconded by Bruce Conrad, to authorize signing the police contract for 2024 to 2026. Motion passed.

CONSIDER AUTHORIZING PRELIMINARY 2024 BUDGET, DISCUSS FIRE COMPANY BUDGET

Mr. Harris stated that there was no tax increase and no increase in water and sewer rates in the 2024 budget.

The borough instituted a stipend program for the fire company over the summer, retroactive to the beginning of the year. The payout was roughly \$9,000 for the first six months. The fire company advised that the cost has risen to \$5,500 per month and they felt that might not cover it for next year. After discussion, the fire company revised that number down to \$47,000 for 2024.

Rich Stichter, fire company president, said that the system has worked. Their goal was to recruit new members and they are now up to 40 volunteers, 21 of which are firefighters. He said they recently revised the points system. Volunteers must sign on to participate in the stipend program, make 20% of the calls to be eligible and commit to do so for two years.

Howard McFadden asked how much it costs to equip a firefighter. Mr. Stichter said that it costs roughly \$10,000 per firefighter. Mr. Ricard asked if the gear is kept at the fire station and if more than one person could use it. Mr. Stichter said that the gear is fitted for an individual.

Mr. Karinch felt that the borough should fund the fire company's request of \$172,000 and see where they end up with fundraisers and donations. He felt the fire company was doing a great job and went from a skeleton crew.

Mr. Burton felt that they should cap the stipend program at \$2,000 a month with the borough taking care of their half of the ladder truck, the building and the worker's compensation payments. Anything beyond that, the fire company should be responsible for.

Mr. McFadden stated that the fire company is a necessary service, and he hopes they receive the funding. Reynolds Ferrante said this was a great program and he hoped the same. Mr. Burton said that taxes would have to be raised to pay for it.

Mr. Thomas felt that \$2,500 would be a fair number for the monthly stipend. He had concerns about how the purchase of ladder truck unfolded and how much of the cost the borough picked up.

Mr. Stichter said that in July the borough was supposed to take over payments for the PEMA loan. The fire company agreed to continue to make the payments until the end of the year and have since decided to continue making those payments in the future.

Ms. Yocum said that giving the fire company a year would be worthwhile because they now have enough volunteers to fundraise, they continue to look at regionalization and eventually it's going to be a paid position.

John Karinch made a motion, seconded by Ron Ricard, to approve the fire company's portion of the budget at \$172,817.11. Thomas Burton voted against it. Motion passed 5-1.

Mr. Karinch asked if the Sergeant position in the budget would be filled. Mr. Harris said that the position would be filled in January. Mr. Burton asked why that decision would be made without the Fire/Police/EMS committee weighing in. Mr. Harris said that the police department is under the mayor's control.

Ron Ricard made a motion, seconded by John Karinch, to adopt and advertise the preliminary budget. Thomas Burton voted against it. Motion passed 5-1.

DISCUSS REGIONAL COMPREHENSIVE PLAN COMMITTEE COMPOSITION

Mr. Rhoads said that the first meeting will be held on January 17th at 6 p.m. at Cedar Crest. The meetings will be held every third Wednesday for six or seven months. He said that the other participating municipalities are going with three people consisting of the manager, a council member and a planning commission member.

Mr. Harris appointed Cody Rhoads, Bruce Conrad and Ray Fratini to the Regional Comprehensive Plan Committee.

CORNWALL PROPERTIES REZONING REQUEST
CORNWALL PROPERTIES – REQUEST TO AMEND GENERAL INDUSTRIAL
REGULATIONS

Mike Swank, Cornwall Properties, stated that they had previously proposed a warehouse on the tract that is currently zoned General Industrial (GI). They have had discussions with PRL Industries about expanding their operation and where that might be feasible. They felt the best spot was in the GI district. The building would be located on the western part of the parcel.

Mr. Karinch asked if it would use the existing entrance. Mr. Swank confirmed that it would.

Mr. Harris asked if Route 322 access would be pursued with this project. Mr. Swank said that it would not.

Mr. Ricard asked what would happen to the other 90 acres not being used for the PRL expansion. Mr. Swank said that they would continue mining the site.

Tim Lewis, PRL, said that the new facility would allow them to continue machining the castings they get from their Lebanon location. Due to equipment upgrades, they will soon be able to increase their production, hence the need for expansion. He confirmed that they would continue to use the facility on Rexmont Road. There would likely only be one truck per day. They are mindful of the community and want to limit their impact.

Mr. Harris asked what the next step should be. Solicitor Cleary said that the landowner has requested that the borough take legislative action to amend the zoning ordinance. If the council is willing to consider that action, then the borough and county planning commission need 45 days to review it and provide comments. After 45 days, the borough can schedule a public hearing to consider the proposed ordinance and, if desired, enact it. Ms. Cleary reviewed the proposed ordinance and felt some items were not clear. She communicated those issues to the landowner's counsel and received a revised proposal. Council could hold a public hearing as soon as January 2nd. Mr. Lewis said that timeline would be appreciated by PRL because if they do not get a positive result, they would need to move quickly to find a new location.

Ms. Yocum asked Ms. Cleary if everything that she referenced in her letter to Council had been addressed. Ms. Cleary said that the revised proposal did address everything.

Julie Bowman said that this use is currently permitted in the Light Industrial (LI) so she didn't want to see this passed without a proper vetting. She asked Mr. Swank if he had considered this for the LI parcel. Mr. Swank said they had talked about it with the Planning Commission, but they plan a lake resort community with a hotel, residential and some light commercial on the LI and felt that there was support for that proposal. Ms. Bowman asked if this building could be built in LI as part of a mixed-use development. Mr. Swank said that there would be too much involved to get it done as quickly as PRL needs.

Jeremy Zimmerman said that Cornwall Properties already has land zoned to build this in the LI so he doesn't know why this change is being pursued.

Mr. Conrad asked PRL what their timeline was for a decision. PRL said they really need to know by January. Mr. Burton asked where PRL was a year ago when the discussion about a warehouse was going on. Mr. Lewis said they only secured the funding to expand recently.

Rob Anspach asked when PRL's equipment was being delivered. They said in June. Mr. Anspach asked how long they anticipate it taking to build an 80,000 sq. foot building. They hope 12-18 months.

Mr. Zimmerman asked if they would face losing their funding if they didn't show progress in finding a new location. PRL said maybe at some point but that was not a main concern for them.

John Karinch made a motion, seconded by Thomas Burton, to send the proposed ordinance to the borough planning commission and county planning commission for review. Motion passed.

Ray Fratini asked if the Planning Commission could set up a special meeting to discuss the proposal. Mr. Harris told him to discuss a good date with Mr. Rhoads to set something up.

CORNWALL UNITED 4 RESPONSIBLE DEVELOPMENT TEXT AMENDMENT

Planning Commission recommended to Council that they handled the proposed text amendment as opposed to the ad hoc committee. Council had no issues with that.

COMMENTS FOR THE GOOD OF THE ORDER

Coffee with Council will be this 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 8:02 p.m. Motion passed.

Cody Rhoads

Secretary