

MINUTES OF THE CORNWALL BOROUGH COUNCIL MEETING
HELD ON MONDAY, JUNE 10, 2019 AT 6:30 P.M.
IN THE CORNWALL BOROUGH OFFICE

The meeting was called to order at 6:30 p.m. by Council President John Karinch.

PLEDGE OF ALLEGIANCE

PRESENT

Gerald Boughter, John Karinch, Marie Tribioli, Steve Tribioli, Ron Ricard, Beth Yocum and Al Brandt.

PUBLIC

Meeting attendance sheet is attached hereto.

PUBLIC COMMENT – WATER & SEWER QUESTIONS ONLY

After hearing no comments from the public, Marie Tribioli stated that she has been having problems with the professionalism of the borough engineer, Jeff Steckbeck of Steckbeck Engineering, and would like to call for a vote for replacement.

John Karinch asked on what grounds. Marie Tribioli stated that she was called a derogatory term after questioning something on behalf of the borough. She also did not appreciate the engineer saying she had authorized work that she did not, specifically on Ironmaster Road. The work was then done, and invoices were sent to the borough.

John Karinch offered Jeff Steckbeck the opportunity to respond to Marie Tribioli's comments. Jeff Steckbeck did not remember making a derogatory comment and said he does not normally use that kind of language. He then referenced a November motion by Marie Tribioli to hire Gannett Fleming to complete a water application that she felt Jeff Steckbeck was not getting done. Jeff Steckbeck believed he did not have authorization to complete the work. Once authorized, Jeff Steckbeck completed the application and submitted it 10 months ahead of schedule.

Jeff Steckbeck then referenced other projects that Steve Tribioli said were not getting done, including the dry hydrant. Steve Tribioli said he never brought up the dry hydrant and cautioned Jeff Steckbeck to watch what he says. After a back and forth with Jeff Steckbeck, Steve Tribioli seconded Marie Tribioli's motion.

Jeff Steckbeck then brought up the Ironmaster Road situation. Marie Tribioli said that septic failures in the area were reported to her. She felt the borough should be proactive and start working on the issue before they were forced to by DEP. At that meeting, it was decided that nothing would be done because the developer, Mr. Hurst, did not know where he wanted to connect to the sewer, and he was responsible for bringing the line out to the road. Jeff Steckbeck said that was not his recollection. Marie Tribioli said council did not vote to authorize any work but received two invoices. Jeff Steckbeck said he told the manager and John Karinch that he

would submit the invoices, but they did not need to be paid until the sewer lines were constructed.

Jeff Steckbeck continued, stating that he's been attacked three times by the Tribiolis since they came on council. He has served the borough almost continuously for almost 25 years under seven council presidents. He said he asked for a meeting after he and former manager Steve Danz were accused of malfeasance for opening bids on a Friday instead of at a council meeting. Marie Tribioli said Jeff Steckbeck took offense to a simple question she asked. Steve Tribioli read an excerpt from an email that Jeff Steckbeck had sent to council after he questioned the bid opening. Jeff Steckbeck defended the opening of the bids, saying it was legal and a past common practice of the borough. John Karinch said it was a common practice to open bids outside of council meeting. Jeff Steckbeck said the advertisement mailed out to council said the bids would be opened on a Friday and the newspaper advertisement said the same.

John Karinch then asked borough manager Cody Rhoads to take a roll call vote on the motion to replace Steckbeck Engineering. Gerald Boughter – yes. Ron Ricard – yes. Steve Tribioli – yes. Marie Tribioli – yes. Al Brandt – no. John Karinch – no. Beth Yocum – no. Motion passed.

Marie Tribioli made a motion to contact ELA to take over engineering for the borough. Gerald Boughter suggested contacting Hanover Engineering. Solicitor Josele Cleary said that since this is professional services, no bidding is necessary. She recommended contacting both firms for their municipal rates. No formal motion was passed.

John Karinch went on record saying he did not expect this blind-sidedness. Steve Tribioli commented “join the club, every month”. Beth Yocum said she was tired of Steve Tribioli accusing them of illegal activities. Steve Tribioli commented that he never said illegal. John Karinch and Beth Yocum said he did at a prior meeting.

Resident Stan Alekna said he never saw such rude, unprofessional behavior from a public official and called Steve Tribioli a disgrace. Steve Tribioli responded, “And you're a pain in the ass.” Mr. Alekna said, “Well there's a nice, intelligent comment from a goofball.”

Steve Tribioli exited the meeting at 6:46 p.m.

John Karinch told Gerald Boughter he was disappointed in him. Gerald Boughter asked why that was. John Karinch said because he voted to remove the engineer after 20+ years. Ron Ricard interjected and said a council member is allowed vote however they choose without being chastised by other council members, especially the president. He wondered why he wasn't targeted for his vote. John Karinch said because Ron Ricard doesn't know the history of all the good Jeff Steckbeck did in the borough, but Gerald Boughter does.

WATER & SEWER BUSINESS DEP ASSET MANAGEMENT PROGRAM

Barb Henry reported that DEP will be coming back to help establish an asset management program. She will report back when she has further information.

REPORTS

DIRECTOR'S WATER AND SEWER REPORTS

Beth Yocum made a motion, seconded by Al Brandt to approve the Director's Water and Sewer reports. Motion passed.

PUBLIC COMMENT – BOROUGH BUSINESS

Patrick Leibich, 126 Rexmont Road, is looking to build a garage on his property. He can not place it where he'd like to due to a zoning ordinance enacted in 2008. John Karinch instructed him he'd have to go before the zoning hearing board for a variance. Mr. Leibich said he did not want a variance but was hoping for a change to the ordinance. John Karinch instructed him to come to the July planning commission meeting to further discuss the issue and that board could determine the next steps. Solicitor Josele Cleary reminded council that any change to the ordinance would apply to all properties in the borough. Mr. Leibich believes a change would benefit not only him, but others in the borough as well.

Erik Arneson, 103 Pine Street, recently moved to Lower Allen Township after living in Cornwall for 19 years. He wanted to thank everyone on council over the years for his family's great time. Mr. Arneson wanted to thank two people specifically. First, he wanted on the record his appreciation for the job Steve Danz did and was sorry he was one meeting late to thank him in person. He also wanted to thank police chief Bruce Harris, calling him the model of what a municipal police chief should be. He called Cornwall Borough Police the absolute best.

Al Brandt wanted it on the record that he does not support Steve Tribioli's actions tonight and was embarrassed as a councilman. He said that, even though he was a part of tumultuous meetings when the authority was dissolved, nobody has ever tried the bullying tactics to the degree Steve Tribioli does. He was embarrassed to say he is part of council when that goes on.

Second, he said making a knee-jerk reaction by firing Steckbeck Engineering was disrespectful. There were no discussions or special meetings, just kicking him out the door. He said there is more discussion on cats and grass cutting than there was on an engineer who has been involved in the borough for 20 years and he was ashamed council made that decision in 10 minutes.

John Karinch said he whole-heartedly agreed with Al Brandt.

APPROVAL OF MINUTES OF MAY 13, 2019 COUNCIL MEETING

Gerald Boughter made the motion, seconded by Beth Yocum to approve the minutes from the May 13, 2019 meeting. Motion passed.

REPORTS

Gerald Boughter made the motion, seconded by Ron Ricard to approve reports as presented. Motion passed.

OLD BUSINESS

DOWNED TREE ORDINANCE

John Karinch said that Stan Alekna, who originally brought the proposed ordinance forward, felt that this should be dropped due to the hardship it might cause to residents in Spring Hill Acres.

BRAKE RETARDER STUDY – FREEMAN DRIVE

PennDOT approved the brake retarder prohibition on Freeman Drive from Maple Lane to Cornwall Center. Josele Cleary instructed council that it must be enacted through ordinance. Ron Ricard wants the fine to be a minimum of \$500 and posted on the sign. Josele Cleary informed him that the fine can not be posted on the sign. Beth Yocum made a motion for Josele Cleary to make the amendment to the ordinance. Ron Ricard seconded it. Motion carried

GOOSETOWN BASKETBALL COURT

Gerald Boughter said council approved the basketball court a long time ago, but nothing ever happened. Beth Yocum said it was because there were some issues complying with the MS4 program. Highway superintendent Tom Smith said the last he spoke with Dan Cannistraci at Steckbeck Engineering the change in material for the court would increase the price. Further investigation is needed.

NEW BUSINESS

REAPPOINTMENTS

Gerald Boughter made a motion to reappoint Ralph Kleinfelter to the Board of Health. Beth Yocum seconded it. Motion carried.

Gerald Boughter made a motion to reappoint Al Tribioli to the Civil Service Commission. Ron Ricard seconded it. Motion carried with Marie Tribioli abstaining.

CORNWALL UNITED METHODIST CHURCH REQUEST

Gerald Boughter made a motion, seconded by Ron Ricard, to allow Cornwall United Methodist Church to close a portion of Alden Street on August 9th from 4 p.m. to 9 p.m. for their Peach Festival. Motion carried.

3221 LEBANON ROAD

The property at this location, formerly Mollie's Restaurant, was sent a letter from County Planning about unsafe structures on the property and did not respond within the 30-day time frame. Chief Harris said he had not been able to reach them either, but he would follow up with the owner again.

Stan Alekna asked if the letter gave them a deadline to clean the property up. John Karinch said it gave them 30 days to respond to the letter, which they did not. Mr. Alekna asked why the county planning department does such a poor job following up on zoning violations. Mr. Alekna feels they should take them to magistrate court. John Karinch said he saw Mr. Alekna's frustration.

One resident commented that county planning made them move their motorcycle trailer in their back yard ten feet. Another resident said they had to move their camper.

Marie Tribioli reiterated that it is up to council how to proceed. Josele Cleary said she generally recommends filing a civil enforcement action with the magisterial district judge. She went over the steps needed to act against the property.

Ron Ricard made a motion for Josele Cleary to move forward with the civil enforcement action. Beth Yocum seconded it. Motion carried.

ADOPT RESOLUTIONS

Gerald Boughter made a motion, seconded by Ron Ricard, to adopt resolutions 2019-4, 2019-5, 2019-6 and 2019-7. These resolutions involve updating the signature cards for the accounts at Fulton Bank.

AUTHORIZE PAYMENT #1 FOR M. WEBSTER CONSTRUCTION

Ron Ricard made a motion, seconded by Gerald Boughter, to authorize payment #1 in the amount of \$67,500 to M. Webster Construction for work done on the police station addition.

FEMA FLOOD MAP

John Karinch said he was at a North Cornwall meeting and saw FEMA's new flood map. He believes the map is totally inaccurate and thinks it could negatively impact people regarding insurance or if they want to sell their house. He feels that Cornwall should appeal the new map. Council will wait to proceed until they get a copy of the map.

DOG PARK

Marie Tribioli brought up the idea of creating a dog park in the borough and distributed some information on the matter. Manager Cody Rhoads will gather more information for the next meeting.

ADJOURNMENT

Gerald Boughter made the motion, seconded by Ron Ricard to adjourn the meeting at 7:28 p.m. Motion passed.

Cody Rhoads
Secretary