

Penbrook Borough Council Meeting Minutes  
October 5, 2020

1. Call to order

On October 5, 2020 Council President David Deardorff called the Borough Council to order at 6:30 pm followed by a salute to the flag and an invocation by Pastor Halliday.

2. Roll Call

Solicitor Wendaur was absent. Councilman Ramper attended via Zoom. All others were present.

3. Action on the minutes from the September 8, 2020 Council Meeting

Council President Deardorff asked for and received a motion from Vicki Shaw and Armbruster seconded. There was no discussion and the motion was voted in favor unanimously.

4. Citizen comments on agenda items:

There were no comments.

5. At 1834 recessed the meeting and yielded to Vacancy Hearing Board Chairperson Carmen Gonzalez. The VHB, convened in the Caucus Meeting Room to discuss the Ward1A vacancy and applicant Frank Heffelfinger of 909 Franklin St. Applicant Heffelfinger was present. There were no comments or questions.

At 1844 Chairperson Gonzalez adjourned the VHB and President Deardorff reconvened the Council Meeting.

6. Reports:

A. Mayor – The Mayor provided Council with the September 2020 Police Report.

B. Treasurer – Manager Hogarth read the Treasurer’s report for September 2020. A motion was made by Armbruster and seconded by N Shaw to accept the report. It was favorably voted on unanimously.

C. Manager Hogarth reported he was offered and accepted a position on the board of directors for Susquehanna Twp EMS. STEMS would like representation from all the municipalities which they serve. New public works employee Jace Hilton is starting his third week of employment and things are going very well. DCED Deputy Director Doug Brown said we should hear about the CARES grant this month. And tomorrow is National Night Out. Most every police officer will be out doing foot patrol and all elected officials are invited to join them.

D. Solicitor – No Report

E. STEMS – No report

F. Fire Chief – Chief Lacher his report

G. Committees

i. Codes – Council President Deardorff read the codes report

ii. Public Safety – EMC Zwigart reminded Council that Ramper, Stokes and V Shaw are this month’s Order of Succession members.

iii. Parks and Property – Chairman Stokes reported that voting concluded from the mural project and “Realistic Children” was the theme winner. That will now be given to Sprocket Mural Works to get an artist assigned.

iv. Public Works – Chairman N. Shaw read the September report

v. Personnel – Chair Dry mentioned there would be a vote later regarding the Ward1A vacancy.

vi. Community and Government – Chairperson V Shaw reminded everyone of tomorrow’s National Night Out event with the police doing foot patrols throughout the borough.

vii. Budget –Chairman Armbruster reminded everyone that the compensatory capital reserve funds should be used to buy down

excess leave. This Monday the 12<sup>th</sup> will be the next budget meeting reviewing general fund revenues.

viii. Authority – Vice chair Dry reported her attendance at a county meeting regarding storm water and the talk of a county wide authority that is intended to share resources and work together to meet storm water BPM's. There would be a cost but specifics haven't been determined yet. More information to follow. The next Penbrook SWA meeting is Wednesday October 21<sup>st</sup> at 6:30pm

ix. Planning Commission – Chairman Stokes said the planning commission is up and running. The recent meeting on September 24<sup>th</sup> featured guest speaker Doug Brown of the dept of Community and Economic Development. Doug spoke about blighted properties and which programs are available to the borough. The Planning Commission will meet on the 4<sup>th</sup> Thursday of each month at 6:30pm

## 7. New Business

A. Approve or reject a motion to appoint the Ward1A Council position to applicant Frank Heffelfinger of 909 Franklin St, Penbrook Borough. A motion to appoint was made by Armbruster and seconded by Stokes. There was no discussion and the motion carried unanimously. Councilman Heffelfinger was sworn in by Mayor McDonald and took a seat as the Ward1A representative

B. Approve or reject a motion to pay \$200,000.00 from the Fire Protection Fund to the Penbrook Fire Department for a down payment on a new fire truck. A motion to approve was made by Dry and seconded by V. Shaw. There was discussion. Armbruster asked Fire Chief Lacher if there were bids sought or if the purchase would be made through CoStars. Chief Lacher reported that it was CoStars pricing and the total cost is \$570,000.00. Armbruster asked about how the balance would be handled. Chief Lacher said there will be a 2 percent loan to pay the balance which future fire protection tax will be used to pay the loan. N. Shaw asked who the truck would be registered to and if the total cost included all equipment necessary. Chief Lacher said the truck would be in the FD's name only and that the price included all up-fitting and necessary equipment. Dry asked what would be done with the old truck. Chief Lacher commented that his intent was to keep the old engine in service with the hopes that it can be used in some circumstance. There were no further questions or comments. A vote was taken and only Ramper voted against the motion. Councilman Heffelfinger abstained

from the vote as he is an officer with the fire department. The motion carried with six votes to approve.

C. Approve or reject a motion to pay the change orders presented by DOLI Construction for the Asylum Run sewer interceptor project. A motion to approve was made by Armbruster and seconded by N. Shaw. The motion carried unanimously.

D. Approve or reject the review and submission of the Pennsylvania Municipal Retirement System Defined Benefit Plan for the Penbrook Police Pension as well as Resolution 2020-15. A motion was made to approve the plan and resolution was made by V. Shaw and seconded by Heffelfinger. Armbruster advised council he was ok with the option agreement but not the base plan. Without Solicitor Wendaur there to answer Council's questions there was discussion to table the vote. Manager Hogarth said there was a motion to approve that needed handled first. President Deardorff requested a roll call vote on the motion to approve.

Dry: yes, Armbruster: no, V. Shaw: no, Stokes: no, N. Shaw: no, Heffelfinger: no, Ramper: no and Deardorff: No. The motion to approve the plan did not carry.

Armbruster then made a motion to table the plan until more questions can be asked of Solicitor Wendaur. That motion was seconded by Stokes. There was no further discussion and that motion carried unanimously.

E. Approve or reject a motion to disperse the \$93,552.83 pension state aid allocation by paying the non-uniform pension plan \$39,398.00 and the uniform pension plan \$54,154.83. Manager Hogarth reminded council that both MMO's are met with these allocations with the remainder of all funds allocated to the uniform plan. A motion to approve was made by Armbruster and seconded by Heffelfinger. There was no discussion and the motion carried unanimously.

F. Approve or reject a motion to award the Municipal Solid Waste and Recycling Services bid to the lowest responsible bidder. That bid being from Republic Services of York in the amount of \$31,180.50 per month or \$26.65 per home. The additional amount asked for by the Borough was for a seconded woody waste pick up each month. That amount being \$32,350.50 per month or \$27.65 per home. The other bid was submitted by Green For Life Environmental. Their bid was \$40,183.00 and \$41,723.00 per month.

A motion to accept the lower bid was made by Armbruster and seconded by Dry. Manager Hogarth reminded council that the numbers council received by

Harrisburg City were not part of the bids and therefore not included as the lowest responsible bidder. Hogarth also reported that the municipal sales mgr from Republic was attending the meeting via Zoom should Council have any question of him. Armbruster asked how many homes were included in the bid. Andy Warntz of Republic reported there were 1157 homes currently serviced by Republic which was the number of homes included in this bid. N. Shaw suggested this be an agenda topic at the October Caucus meeting so more discussion can be had before making a decision. The motion to accept one of the bids was on the floor and must be voted on. A roll call vote was taken and all council members voted no.

A motion was then made by N. Shaw to table the topic until a future meeting. That motion was seconded by Heffelfinger. There was no discussion and that motion carried unanimously.

G. This agenda item was added during the meeting so before a motion was made Council President polled the public to see if there were any public comments. What was going to be presented was a motion to discontinue the state of emergency declaration the Borough has been under since 16 March of this year. There was no public comment.

A motion was then made by Armbruster and seconded by V. Shaw to end the Borough's state of emergency declaration. There was no discussion and the motion carried unanimously.

#### 8. Citizens to be heard

Pastor Mark Halliday from the Penbrook Church of God wanted to advise council that he and the borough staff were working on a handicapped sidewalk ramp issue at the corner of Canby and Elm Streets.

Chief Dave Lacher from the Penbrook Fire Department wanted to thank Council as well as the tax payers of the borough. Without them, the FD would not be able to secure the new fire engine.

Carmen Gonzalez of 2319 Boas Street commented on:

PRI: Thanks to the FD and PD for their help with resident Neil Deimler's 90<sup>th</sup> birthday celebration and Property of Merit Award presentations.

Lion's/LEO's: The LEO's are back in session celebrating their 11<sup>th</sup> year in Penbrook. A small celebration for them and their families will be held as well as

future community service projects including a Greenbelt cleanup on Oct 10 and a storm drain cleanup on October 18<sup>th</sup>

Park's Sub-Committee: Thanks to Rob the Borough Codes Officer and the Public Works Staff for the work to have signs and a little library installed at the Elm Street Station Park.

9. Council comments:

Several Council Members and the Mayor wished to express their thanks to Frank Heffelfinger for his willingness to serve the community as the Ward 1A council member. Also to the Property of Merit award winners. All participants, especially the winners, worked hard to maintain their property's appearance and curb appeal.

10. Action on the bills to be paid:

A motion was made by Armbruster to pay the bills. It was seconded by N Shaw. There was no discussion and the motion passed unanimously.

11. Adjournment:

A motion was made by Heffelfinger to adjourn the meeting at 7:55pm. It was seconded by N. Shaw and voted in favor unanimously.

Respectfully submitted and attested,

Joseph Hogarth  
Borough Manager and Municipal Secretary