

**Penbrook Borough
Caucus Meeting
Minutes
December 21, 2020
6:30 PM**

1. Roll Call: All Council members with the exception of Dry were present. Councilpersons Ramper, V Shaw, N Shaw and Solicitor Wendaur attended by Zoom.

Visitors on Zoom were Rick Levandusky, Todd Zwigart, Nate Bragunier and Jace Hilton.

2. New Business:

A. Sean Harris, chair of the civil service commission, announced via email, that he was resigning his position because he moved out of the borough. Rick Levandusky, agreed to be appointed as the new chairman at the January 4 council meeting. Council agreed to speak to some residents to find at least one other person to serve on the commission and possibly at least one alternate. The regulations allow for one council member to serve on the commission.

B. Officer Baldwin was in attendance as the Director of the Penbrook Athletic Association. He presented council with a letter stating the association was dissolving and they wanted to give to the Borough, the money in their account as well as the equipment and other materials they owned. It was stipulated in the letter that the Borough use the monies and equipment for the sole purpose of athletic field improvements and use. Council will vote to accept at the January 4th meeting.

C. Solicitor Wendaur explained the recent correspondence received from CRW involving a "true up fee" as well as the discrepancy that exists with what CRW claims the Borough owes for water usage and what the Borough believes is owed. This is rooted in actual usage versus "equivalent dwelling unit" or EDU. The Borough possesses documentation from CRW's solicitor stating we can pay based on actual usage. CRW continues to bill based on estimates. Solicitor Wendaur will continue to investigate the true up fee that CRW recently sent out which claims to be for improvements to their infrastructure.

D. Glynis Smith's term for the Storm Water Authority will expire at the end of this year; if interested, she will need to be re-appointed by council at the January 4th meeting.

3. Old Business:

A. 2021 Fee Schedule (Proposed Resolution 2021-1)

1. Solicitor Wendaur researched and came up with a reasonable fee schedule that can be used for conditional use permits such as small wireless towers. It includes a sliding fee which will be dependent upon the application as well as an escrow amount to cover reasonable costs incurred by the Borough. He will also write the escrow agreement language. This will be voted on as part of proposed Resolution 2021-1 at the January 4th meeting

2. The RRU fee charged to congregant living facilities was discussed. Currently there are 6 facilities that could be considered congregant living due to them either "renting" or offering sleeping quarters to their residents but having shared restroom and other living areas. These facilities have been charged inconsistently in the past. Council suggested that the proposed fee for all remain at \$65.00 per year and that research should be done as to what other municipalities are charging before a change is made in 2022.

B. Last month, Prochamps, a company that handles vacant property registration, asked for our vacant property ordinance. They reviewed and sent back their proposed changes if we were to enter into an agreement with them. Solicitor Wendaur reviewed and didn't see any issues but there were several questions from Council members about what vacant properties this would target. The topic was tabled and suggested that a representative from Prochamps attend the January caucus meeting for further discussion.

C. The mezzanine construction project at the borough garage will be delayed until after the first of the new year. This is problematic because money for the project was put into the 2020 budget and will not roll over to the 2021 general fund. Manager Hogarth asked Council to consider transferring the accepted bid amount into a Capital Reserve Fund so the money can then be used when the project is complete.

Councilman Armbruster suggested a vote be taken to amend the 2021 budget to allow this.

President Deardorff asked if anyone wanted to make such a motion. Councilman Armbruster then made a motion that \$8,745.00 be moved from the General Fund, account 01.430.600 in the 2020 budget year and placed in the Capital Reserve Fund (34) and the 2021 Capital Reserve Fund reflect that expense for the construction project. Councilman Stokes seconded that motion. President Deardorff asked for a roll call vote. Stokes, V. Shaw, N. Shaw, Armbruster, Ramper and Deardorff all voted to approve the motion. Dry and Heffelfinger (left the meeting at 1923hrs) were absent.

D. Manager Hogarth gave an update on the mechanical and dealership issues with police vehicle 1137. Last month Council had agreed to purchase an extended warranty through Ford. In working with LB Smith Ford we were provided a proposal and told the car would have to undergo an extensive inspection procedure. The inspection was done and two issues found. One was an oil pan gasket leak and the other a leak in the a/c compressor line. However, we were then told that the warranty through Ford is not available for that vehicle because of the mileage. In addition to all that, Ford sent a safety recall for equipment on that vehicle. It was decided to take it to Mcguire's Ford instead of LB Smith. Mcguires performed the recall work and in addition, looked at the

reported leaks. They suggested the oil leak was not significant enough to fix but did suggest the a/c line should be fixed. Since the vehicle is not being driven it'll be discussed further at a later meeting.

4. Discussion on the minutes from the December 7, 2020 Council meeting

There was no discussion

5. There were no citizen comments

6. There were no council comments

7. Manager Hogarth asked for an executive session to discuss two personnel matters.

8. Adjournment

The meeting was adjourned at 9:17pm