

Penbrook Borough Council Meeting Minutes
April 3, 2023

1. Call to order
 - A. On April 3, 2023 President Deardorff called the Borough Council to order at 6:31 pm followed by a salute to the flag and a prayer from Pastor Halliday.
 - B. 7 members of Council were present. The Mayor and Ramper were absent.
2. Action on the minutes
 - A. On the March 6 Council minutes, motion to approve by Armbruster and seconded by N Shaw. Carried unanimously
 - B. On the March 20 Caucus minutes, motion to approve by Dry and seconded by V Shaw. Carried unanimously
3. Citizen comments on agenda items: NONE
4. Reports
 - A. Hogarth provided Council with the March 2023 Police stats
 - B. Treasurer – Manager Hogarth read the Treasurer’s report for March 2023. A motion was made by Armbruster and seconded by N Shaw to accept the report. It was voted on unanimously.
 - C. Manager – No report
 - D. Solicitor –
 - i. The question of the manager or police chief being able to suspend or terminate was researched and found that it could be done if the employee was not part of a union or hired through civil service. Future discussion possible regarding policy on this matter
 - ii. American Tower responded that they were not interested in the proposal made for the dollar amount to buy the tower rights in lieu of the yearly lease. They did not offer a counterproposal.

- iii. The IMA with Swatara Township for the compost facility was reviewed and while the Council could counter with some minor changes the agreement has been in place for a couple of years now with no issues. She recommends approving the IMA which is an action item on tonight's agenda.

E. STEMS – No report

F. Fire Chief – Deardorff read the monthly stats for the fire chief

G. Committees

- i. Codes – Deardorff reviewed the codes and property maint. stats.

- ii. Public Safety – Order of succession members for April are Dry, Deardoff and Ramper.

- iii. Parks and Property –

- a. The DCNR grant application for phase III of the Little Valley project has been submitted.
- b. Planning for the Summer Parks Program is underway.
- c. The Young Lung's at Play signs should be installed this week.
- d. The Parks Committee recommends approving the bids and moving forward with phase I of the Little Valley Project.

- iv. Public Works – N Shaw reviewed projects that the staff have been working on.

- v. Personnel – The committee continues to work on the employee manual and will have a draft for all to review soon.

- vi. Community and Government –

- a. Movie night planning is underway.
- b. April 6 will be a Community Park clean up event to get ready for the egg hunt event on April 8th.

- vii. Budget – No report

viii. Authority – The WREP meetings have started with Blain Bargo attending the first one. The cemetery basin project will be starting in the next few weeks with the bid from Iron Eagle Excavating being awarded last month.

ix. Planning Commission – The commission is looking for volunteers to solicit opinions from voters on election day regarding the alcohol referendum questions.

5. New Business

A. A motion is needed to approve or reject the handicap parking application for two properties.

i. Regarding 2464 Baker made by Rosene Darren a motion to reject was made by Armbruster and seconded by Dry. Armbruster commented that the property has off-street parking and therefore does not meet the requirements of the ordinance. Motion carried unanimously.

ii. Regarding 2630 Boas made by Dwayne Simon, a motion to reject was made by Armbruster and seconded by Newcomer. Again, Armbruster commented that the property has off-street parking therefore does not meet the requirements of the ordinance. Motion carried unanimously.

B. A motion is needed to approve or reject the advertising of the proposed Ordinance 2023-01 amending Chapter 136, Fireworks. A motion to approve was made by Dry and seconded by Armbruster. Armbruster asked if the ordinance dealt with someone that fires a gun on their property in defense of their or another's life. The Solicitor commented that those situations are better handled through statutes in the Crimes Code. The motion carried unanimously.

C. A motion is needed to accept or reject the advertising of the proposed Ordinance 2023-2 amending Chapter 135, Fees. A motion to approve was made by Armbruster and seconded by V Shaw. Motion carried unanimously.

- D. A motion is needed to approve or reject the costars bids received to complete phase I of the Little Valley construction project. V Shaw made a motion to accept the bids, seconded by Dry. The motion carried unanimously.
- E. Discussion and, if necessary, action on the IMA with Swatara Township for use of the township compost facility for leaf disposal. The solicitor explained why this should be decided by Council and not the SWA despite the fact that the \$1,700.00 fee is paid with storm water fee collections. Newcomer commented that he'd like to see language allowing for both parties to sever the agreement not just Swatara Twp. He'd also like 60 days, not 90. Deardorff said while that language may be more desirable they seem like minor issues and the relationship has been good between the municipalities. The solicitor prepared a resolution should Council choose to approve it. Stokes made a motion to adopt Resolution 2023-12 authorizing the Borough to enter into an inter-municipal agreement with Swatara Township to provide a compost facility for the Borough. It was seconded by Newcomer and carried unanimously.

6. Visitors to be heard

- A. Anthony Owens of 113 N 30th asking about progress regarding ordinance allowing chickens. Deardorff said sample ordinances have been gathered from neighboring municipalities and are being reviewed.

7. Council comments

- A. Stokes wanted to thank the Lions and Leos for another successful pancake breakfast. Not only was the food good but it's an event that brings the community together.
- B. Newcomer wanted to thank Carmen Gonzalez and Joe Hogarth for the work on getting the grants to complete the Little Valley Park restoration.
- C. V Shaw wanted to thank the Park Committee and the others involved in the Summer Parks Program. It's been a long-successful program that's free to the children of Penbrook.

8. Action on the bills to be paid

A motion was made by Armbruster to pay the bills and seconded by Dry. Newcomer asked about two invoices answered by Hogarth. Motion carried unanimously.

9. Adjournment

A motion was made by Armbruster and seconded by Dry to adjourn the meeting at 7:13 pm.

Respectfully submitted and attested,

Joseph Hogarth
Borough Manager and Municipal Secretary