

**Penbrook Borough
Caucus Meeting
Minutes
August 21, 2023
6:30 PM**

1. Call to order and roll call: President Deardorff called the public meeting to order at 6:31 pm. All members present except for Councilperson V. Shaw, Ramper, and Mayor McDonald

2. Manager's Report – No Report

3. Discussion and Action Items

A. Cynthia Reyes was in attendance to be approved by Council as a member of the PRI Board. Armbruster made a motion to approve the appointment. N. Shaw seconded the motion. Carried.

B. Representatives from Barry Isett and BCO Bragunier attended remotely for a discussion about BI taking over as a third-party contractor for permit inspections and plan reviews. Manager Hogarth is asking Council to consider appointing Bragunier as the Borough's Zoning Officer, replacing Light-Heigel. Further he would like Barry Isett to handle all future residential and commercial UCC services. Bragunier would handle all administrative functions of the permitting process.

Jared, of Barry Isett, explained their process to Council stating that they typically turn the residential process around in 3-5 business days once they have all the necessary documentation. Property owners can typically schedule inspections with 48-hour notice. Commercial permitting usually takes 15 business days.

Armbruster asked if they had accessibility inspectors. They do. Stokes asked about the cost to answer questions from the borough's staff. Jared explained that questions that can be answered simply are not billed but if research needs to be done then they would bill for their time. There were no more questions of the BI staff, and they signed off. Further discussion included:

N. Shaw asked why we had to designate a third-party inspector but allow the applicant to choose from a list of inspectors. Deardorff and Armbruster said the borough used to do it that way and ran into issues. Solicitor Kern suggested that if council wanted to do that the list given to applicants should be specifically chosen and vetted by the borough and not allow the applicant to pull a name from the labor and industry web page.

Newcomer asked Hogarth if he had contacted any of the references listed in the BI materials provided to Council. Hogarth spoke to Hummelstown, Carlisle, Upper Allen and Wormleysburg. All had positive things to say about the BI staff, their responsiveness and professionalism. They confirmed the quick turn-around of permits and responsiveness to inspection requests. Newcomer asked that the service agreement be specific as possible. Hogarth said he would inquire about an agreement being sent prior to the Sept 5 Council meeting. At which time Hogarth would like action items to appoint BI as the third-party inspector as well as appointing Jacob Bragunier as the Borough's Zoning Officer.

C. A discussion regarding the proposed street cut ordinance. Armbruster and Sostar have been working on amending the Borough's Street Cut ordinance the base of which was written for another municipality by an engineer with PSATS. The engineer met with Sostar and Hogarth several months ago to review his suggested language designed to encourage utility companies to plan their street cuts to minimize disturbance to the road surfaces and ensure repairs are done to a specific standard. The borough's engineer should review and provide comments. Kern said she reviewed the proposed language briefly but would like Council to authorize a full legal review at the September Council meeting.

D. Hogarth provided Council with an amended copy of the Civil Service Regulations pointing out a change in the law that required the Commission to change the regulations dealing with "other than honorable discharges" from the armed services. Hogarth will have an action item to approve the regulations on the September 5 agenda.

E. A discussion on the Planning Commission's comments on the proposed Short Term Rental Ordinance. Commission Chair Stokes referenced pg 6, Section 3 dealing with standards of operations which is limited to 30 days. The commission is recommending that be changed to 90 days.

Armbruster asked if the ordinance requires the owner to reside for not less than 6 months. Kern confirmed that but said it didn't have to be consecutive months or days. Stokes didn't think that was a requirement. Kern said the language is still requiring that but needs feedback from Council and it could be modified.

Hogarth asked how these limits were going to be tracked for compliance. Kern said it was the responsibility of the owner to provide the information to borough staff.

Newcomer said he supports the regulations that don't encourage additional rental properties in the borough. He would like to see ordinances that encourage more owner-occupied properties.

Stokes said he will solicit more feedback from the Planning Commission and report back at the September Caucus meeting.

F. Discussion on Kline Villages use of part of the Penbrook's sewer system and CRW billing. Kern said she received documents from her RTK asking for billing information and flow maps but has yet to go through and interpret the information. Hogarth displayed a sewer map and briefed Council on the issues, not the least of which is CRW customers are flowing directly into the Borough's infrastructure but CRW

is not contributing in the maintenance of those lines. Hogarth is asking Council to consider several options to present to CRW to remedy this issue.

Armbruster asked if the information from the RTK can be sent to Council. Beth said she would forward it to all.

Hogarth discussed the importance of flow meters and has discussed this with the borough's engineer. He is waiting for specific model information so he can get pricing from companies that sell and install them. Everyone was in agreement that flow meters will add to the necessary information to help make a decision. Updates will be given at future meetings as they become available.

4. Citizen Comments

a. Nacole Moore asked about what Council will consider regarding the course of action with CRW. Deardorff commented about possible RTK requests to get more information. Hogarth said Council might want to consider hiring a rate consultant.

5. Council Comments

a. Armbruster commented about an email that was sent to the elected officials in an attempt to help direct the manager. Hogarth was not provided a copy of the email, but it was suggested that each elected official document tasks they wish to see handled by the staff in the next six weeks.

b. Deardorff read the invitation from PRI to the elected officials to attend the Sept 16th Fall Fest Event and specifically the Property of Merit Awards starting at 5:00 pm.

6. Meeting adjourned at 8:35 pm

Respectfully submitted,

Joseph Hogarth
Borough Secretary