

**Penbrook Borough  
Caucus Meeting  
Minutes  
September 18, 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 Ramper and Mayor McDonald

2. Manager's Report

A. Briefed Council on the construction project at Little Valley  
B. Advised Council of a SALDO application we received concerning the old Velter Products property on Herr St. They are looking to combine the two parcels the current building and future building will sit on. They are also looking at a waiver for the storm water plan. The application was sent to Rettew for their input prior to the September Planning Commission Meeting.

3. Discussion and Action Items

A. Carmen Gonzalez reviewed her report from the Little Valley Summer Program. The report was also sent to Council via email. The program served 35 children this year. Carmen advised that 2024 will be her last year leading the program and would like Council to find someone early in 2024 so that person can work with Carmen. Newcomer asked if this could be a budget meeting discussion.

B. Solicitor Kern briefed Council on AFSCME's request to enter into a side-letter of agreement concerning 2023 Indigenous Peoples' Day so that the Public Works staff can have that day off with the rest of the non-uniform staff. Earlier this year, Council agreed to honor both that holiday as well as Juneteenth to close the administrative office and not schedule any public meetings. AFSCME will have the opportunity to negotiate those holidays for future years during the collective bargaining negotiations currently underway. The letter will be on the October meeting agenda for action.

C. Solicitor Kern asked Council if there were any discussions or feedback regarding the Short-Term Rental Ordinance Proposal. If not STR-03 can be placed on the October agenda for action to send to the TCRPC. There were none.

D. Hogarth is asking Council to consider enacting an ordinance to allow for ticketing property owners or occupants as a means, other than issuing a citation for failure to comply with property maintenance requirements under the International Property Maintenance Code. Sample ordinances from several municipalities were sent to the Solicitor. Kern advised she also represents other municipalities that have ticketing ordinances and can put together a draft ordinance if Council so chooses. A number of questions were asked about procedures. Kern noted them and can reflect

them in the draft. Newcomer made a motion to have Kern create a draft copy for consideration. V. Shaw seconded the motion. Motion carried unanimously.

E. A discussion regarding the borough's fee schedule. Currently the borough is operating with the 2022 Fee Schedule. Hogarth pointed out that with the change of third party UCC providers the fee schedule should reflect those current rates. Also, there are other fees that need updated, including an administrative fee to cover the cost of the BCO for time in the permit process. Council was provided with Barry Isett's fee schedule which will appear as an addendum in the resolution draft. Hogarth is proposing a codes administrative fee of \$50.00 for residential permits and \$100 for commercial with a \$4.50 add on to cover the fee that needs to be sent to Labor and Industry. It was noted that the 2022 fee schedule still includes the cost for buyer notification inspections which Council suspended during COVID. Hogarth suggested that if there's no plan to reinstate that process the fee should be removed.

During the previous agenda item regarding the ticketing ordinance it was asked about an appeal process. The Borough currently has on paper, community members that make up an appeal board however there hasn't been a request for an appeal in years and it's unsure those persons are available or interested. Kern suggested that Council could be the appeal body if it's happening infrequently, and the schedule could coincide with any regularly scheduled public meeting.

There are current prices for street cut permits, however this will likely change if the proposed street cut ordinance is approved. Hogarth said, because of the UCC fees from Barry Isett, it's more important to approve the fee schedule as soon as possible and then make changes to reflect the street cut permit pricing at a later date.

4. Citizen Comments – N/A

5. Council Comments –

A. Stokes asked about the SALDO from 650 S 28<sup>th</sup> St. Hogarth said they submitted plans and when they're received electronically, they will be sent to everyone, but they have not yet submitted an application. Stokes asked about the "shot clock". Kern said once the borough receives an application there are 30 days for the planning commission to review. Once the review takes place there is a 90-day window to approve or reject the application by Borough Council.

B. Newcomer asked about the process of proofreading the newsletter and asked if everyone on Council can get it to review prior to printing. Hogarth said he would make sure that happens.

6. The public meeting was adjourned at 8:30 pm for an executive session to discuss a legal issue. The executive session was adjourned at 8:40 pm.

Respectfully submitted,

Joseph Hogarth  
Borough Secretary