

**Penbrook Borough  
Caucus Meeting  
Minutes  
November 20, 2023  
6:30 PM**

1. Call to order and roll call: President Deardorff called the public meeting to order at 6:30 pm. All members were present except for Ramper and V. Shaw.

2. Manager's Report

A. The asphalt walkways at Little Valley were completed this morning. Public Works will now work on dressing the ground.

3. Discussion and Action Items

A. Zoning Hearing Board applicant Olivia Claycomb was in attendance. There were no questions for her from Council members. The Mayor administered her oath of office.

B. Hogarth discussed the email from the Dauphin County Landbank after concerns that Blain Bargo will not come close to meeting the 12/31 deadline for 2419 Canby. The DCLB was interested in Council's position before making a decision. Bargo is and has been paying taxes on the property. Hogarth said Bargo, in part, is blaming code administrator Light-Heigel. Light-Heigel contends that Bargo never followed up with them. Hogarth pointed out this being one of the reasons we moved away from LH but they are still managing that project. Switching to Barry Isset would require Bargo to pay additional permit fees. Council is ok with another extension and would be interested to see what the DCLB proposes.

C. Hogarth advised Council that he will have a Resolution prepared for the December meeting for the Police Pension Employee contribution rate. For the past several years the rate has been reduced by Council from 5% to 1.5%. Hogarth gave MMO and State Aid figures for the past several years and advised Council that they may have to consider raising the contribution rate in future years. He also advised that the non-uniform employees currently contribute nothing and while there is no legislation governing employee contribution rates for non-uniform pension plans the cost to the borough will continue to climb as salaries increase.

D. Solicitor Kern is suggesting that Council consider adopting an escrow fee for SALDO applications. She commented that SALDO applications are often complicated with many professional reviews that will be charged to the borough such as legal and engineering fees. Municipalities set up an escrow account to offset these costs which are charged to the applicant. She provided a draft fee schedule with language and fees

for Council to consider. Like any escrow account, monies not used would be returned to the applicant.

E. Solicitor Kern advised that she completed her legal review of the proposed employee policy manual and can make comments on recommended changes. She suggested streamlining the manual by consolidating redundant policies. Kern is looking for approval to continue with drafting the policy manual based on her legal recommendations. All members were in favor.

F. Solicitor Kern commented that the County Planning Commission provided their review and recommendations of the proposed Short Term Rental Ordinance. The Commission recommended approval but also suggested considering the definition of STR. Council likes the idea of requiring non-owner occupied rentals in which the owner is not "local" be required to have the property managed by someone local. Kern said it could be an actual management company or it could be a family member or friend that is on record to handle concerns when they arise. Kern also suggested looking at other sections of the zoning ordinances where our requirements are stricter than the Municipalities Planning Code. For example, the MPC's requirement for posting public notice is 100 feet from the applicant property. The Borough requires 500 feet. Newcomer disagreed and believed more notice to the community is a good thing. Armbruster agreed. Council also disagreed with the County's suggestion and wants a local representative of a property that is not owner-occupied.

G. A motion is needed to approve proposed Ordinance 2023-03, amending Zoning and Ordinance 2023-05, Establishing Short Term Rental License regulations, for legal notice advertising. A motion to approve was made by Newcomer and seconded by Armbruster. The motion carried unanimously. Kern added that she believes, with the holiday, the two advertisements requirement will be too tight for the December 4 meeting and suggests having the public hearing and action item at the Dec 18 Caucus meeting.

H. Stokes reported that the Planning Commission member number is currently 7 and they have 5 members. With this, they sometimes have difficulty having a quorum and would like Council to reduce the number to 5. Deardorff asked Kern what this would look like. Kern said it would require an ordinance. She could draft a proposal for review at the December 4 meeting and then action at the December 18 Caucus meeting.

4. Citizen Comments – N/A

5. Council Comments – N/A

6. The public meeting was adjourned at 7:46 pm for an executive session to discuss a legal issue. The executive session was adjourned at 7:57 pm.

Respectfully submitted,

Joseph Hogarth  
Borough Secretary