

Penbrook Borough Council Meeting Minutes
November 6, 2023

1. Call to order
 - A. On November 6, 2023 President Deardorff called the Borough Council to order at 6:30 pm followed by a salute to the flag and an invocation by Pastor Mark.
 - B. All elected officials were present except for Ramper
2. Action on the minutes
 - A. On the October 2 council meeting minutes, motion to approve by Armbruster and seconded by Dry. Carried unanimously.
 - B. On the October 10 budget meeting, motion to approve by Dry seconded by Armbruster. Carried unanimously.
 - C. On the October 16 caucus meeting, motion to approve by Newcomer seconded by Armbruster. Carried unanimously.
 - D. On the October 23 budget meeting, motion to approve by Dry seconded by N. Shaw. Carried unanimously.
3. Citizen comments on agenda items: N/A
4. Reports
 - A. The Mayor provided Council with the October 2023 Police stats
 - B. Treasurer – Hogarth read the Treasurer’s report for October 2023. A motion was made by Armbruster and seconded by N. Shaw to accept the report. It was voted on unanimously.
 - C. Manager
 - i. The paving projects are complete and the report accepted by PennDOT.
 - ii. The cemetery project has resumed with the sewer line portion complete. Crews are now working on the storm water lines and boxes.
 - iii. The work at Little Valley has stalled because the contractor paving sub was sent home. Our public works crew provided the contractor with some names and work will continue this week.

E. Solicitor – provided information on three proposed ordinance changes as:

- a. Short-term rental has been sent to tri-county planning for comments
- b. Excavation is being edited and will be on the November Caucus agenda
- c. Quality of Life is being drafted and will likely be on the Nov Caucus agenda for discussion
- d. The employee handbook proposal is being reviewed and will likely be on the next agenda for discussion

E. STEMS – No report

F. Fire Chief – Chief Murphy reviewed monthly stats. They're currently selling pretzels and sandwiches and will have fill the boot event on the 25th.

G. Committees

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

ii. Public Safety –

- a. Order of succession members for November are Armbruster, Dry and Deardorff
- b. EMC Bloss reviewed past weather-related incidents and confirmed no impact on the borough
- c. Bloss advised he will be attending a review of the County's Hazard Mitigation Plan on the 16th and invited all to attend as well

iii. Parks and Property –

- a. The committee has met with the Police Athletic League regarding the use of the large CP ball field. The PAL will be checking out the conditions and reporting back as to what they believe it'll need for play and then the committee will report to Council

b. There was a WWAD event on November 4th and the last event with Dave Heister as coordinator. Laura Van Der Goes will take over for Heister.

iv. Public Works – N. Shaw reviewed the monthly activities performed by the public works staff

v. Personnel – No report

vi. Community and Government – The holiday event is tentatively scheduled for Dec 2nd.

vii. Budget – There is an agenda item regarding the fire protection tax under new business.

viii. Authority – No Report

ix. Planning Commission –

a. The Solicitor and Jerry Duke from Tri-County Planning attended the last meeting to go over SALDO application procedures as well as a pending application. Stokes believes it was very helpful to have their guidance. There will be a discussion later under new business.

5. New Business

A. A motion is needed to approve and advertise the 2024 meeting schedule as proposed. A motion to approve was made by Stokes and seconded by V. Shaw. Motion carried unanimously.

B. A motion is needed to approve the use of a consent agenda for Council meetings beginning January 2024. A motion to approve was made by Dry and seconded by V. Shaw. Armbruster commented that he still wanted to discuss the items listed under the consent agenda. Deardorff responded that items will be on a Caucus agenda prior to appearing on the consent agenda. The motion carried unanimously.

C. Stokes asked for a discussion regarding SALDOs to bring Council up to speed with recent meeting information. The current applicant for 2701

Herr has granted the Borough an extension to Jan 26, 2024. Stokes and Zoning Ofc, Bragunier are to discuss writing a process document for handling applications. Tri-County Planning suggests making Bragunier the point of contact for SALDOs. It was also suggested that the engineer provide a full review. Rettew did provide comments regarding the applicant's waiver for the storm water ordinance. Stokes questioned whether the application fee would cover the engineer's costs. It will most likely not. Kern advised that the Borough could consider requiring an escrow. Since SALDOs are so unique there is no way to accurately predict professional services costs therefore it is common for a municipality to hold an amount in escrow. She also concurs that often the engineer is usually the best to review applications. Newcomer asked who should keep track of the expenses. Kern suggested the zoning officer. Stokes asked if the fee schedule could be amended. Kern said yes but advised to wait until the November Caucus. Hogarth will request Rettew to do a full review prior to the next planning commission meeting on Nov 21. Stokes will be inviting the applicant, County Planning and Bragunier. County Planning also suggested that the borough advertise and post a copy of the plan on FB or other social media. Since Levandusky is on the planning commission Stokes will ask him directly. Kern advised that without any further extension granted by the applicant, Council would have to take action by the January Caucus.

- D. V. Shaw requested a discussion item regarding a proposal for an IT vulnerability assessment by Appalachia Technologies. Shaw said after she reviewed the cyber insurance documents submitted by the borough last year she reached out to the vendor for a quote but there was no follow-up. Shaw explained that cyber crime is on the rise and governments and school districts have been attacked all around us. Not having processes in place not only leave the borough vulnerable to attack but also leave the borough vulnerable to have an insurance claim denied. She suggested we need to be working toward improving. The quote from AT was for \$16,000. Deardorff asked what that got us. Shaw said just the report, no fixes. He then asked how often that may need done. Shaw said once the full report is done it will identify what may need to be fixed. Once shored up, smaller assessments may be prudent to ensure what's been done is working. Stokes asked if that was the only quote. It is. Kern said that because it falls under professional services a formal bidding process need not be done, however it might be prudent to reach out to some other firms for comparison. Shaw agreed to put together an

RFP. Newcomer commented that before an RFP is sent out Council needs to figure out how to pay for it. Hogarth said currently there is a General Fund surplus of over \$30,000 but the AFSCME contract isn't settled yet. Also, the investment vehicles have been yielding around \$15,000 per quarter. This will be placed on the November 13 Budget Meeting agenda.

- E. Armbruster sent out a presentation regarding the Penbrook Fire Department's financial needs suggesting an increase of the Fire Protection Tax. Newcomer commented that the report shows how costs have increased over the years but doesn't identify where they are falling short and what exactly the fire department staff is asking for. He's opposed to a blanket percentage increase. Hogarth asked Armbruster why the report mentions the FD getting 1/3 of the tax revenue. He pointed out that so far this year they've expended 75% of the tax revenue, last year was 100% more than 100% in 2021 with the purchase of the new engine. Armbruster said in the past, the borough paid for some of their expenses such as workers' comp insurance and hydrant rentals which roughly accounted for one-third and then gave the department \$30,000 for them to spend on other expenses. Finally, one-third was set aside for the eventual purchase of a new fire engine. Hogarth said that if it was the intention for the ¼ mil increase to pay for another engine it would take approximately 35 years to save enough. This discussion will continue at the November 13 Budget meeting.

6. Visitors to be heard – N/A

7. Council comments – N/A

8. Action on the bills to be paid

A motion was made by Dry to pay the bills and seconded by Newcomer. Motion carried unanimously.

9. Executive Session to discuss both a personnel and a legal issue.

10. Armbruster made a motion to adjourn the public meeting at 7:54pm. Seconded by Dry and carried. The Executive Session was called to order at 7:57pm and adjourned at 8:30pm.

Respectfully submitted and attested,

Joseph Hogarth
Borough Manager and Municipal Secretary