

**Penbrook Borough
Caucus Meeting
Minutes
December 18, 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 present except for Ramper

2. Public Hearing

President Deardorff adjourned the Caucus meeting and called to order at 6:32pm a public meeting to hear citizen comments on proposed Ordinance 2023-03 Zoning Amendments, which removes regulations for small cell non-tower wireless communications facilities, and defines, regulates, and provides penalties for short term rentals. There was no public comment. Solicitor Kern noted that all notices were properly advertised. Having no public comment, President Deardorff adjourned the public meeting at 6:34pm and reconvened the Caucus meeting.

3. Discussion and Action Items

- A. A motion is needed to adopt or reject Ordinance 2023-03 Zoning Amendment, which removes regulations for small cell non-tower wireless communications facilities and defines, regulates and provides penalties for short term rentals. Newcomer made a motion to approve and V. Shaw seconded. Solicitor Kern noted that there was a minor change to 2023-03 page 5, section 3, V.1.e.iii and on page 2 Section 1.A.5.c of Ordinance 203-05. There were no other comments. The motion to approve passed unanimously.
- B. A motion is needed to adopt or reject Ordinance 2023-05 Short Term Rental License Regulations, which establishes short term rental license regulations and requirements for short term rental use properties. A motion to approve was made by Dry and seconded by V. Shaw. The motion carried unanimously.
- C. A motion is needed to adopt or reject Ordinance 2023-06, amending Chapter 41-2 of the Code to decrease the number of Planning Commission Members. A motion to approve was made by Stokes and seconded by Newcomer. The motion carried unanimously.
- D. A motion is needed to approve or reject the AFSCME Local 2944 Collective Bargaining Agreement effective January 1, 2024 to December 31, 2027. Deardorff made a motion to approve and Dry seconded. Armbruster

- commented that there was no involvement with the personnel committee, that the pay rates were too generous, there were no requested changes by the borough and that negotiations were handled via email. Lastly, he wanted a roll call vote. Deardorff replied that those comments were not true and all of Council had input into the contract but conducted a roll call vote. The result of the vote were Newcomer, Dry, Stokes, Deardorff, V. Shaw voting to approve and N. Shaw and Armbruster voting to reject. Motion to approve carried.
- E. A discussion regarding the development of a job description for part-time seasonal Parks and Recreation Summer Program Coordinator position. Newcomer would like to have the Parks Committee work on this and present it to Council at a future meeting. There were no further comments.
 - F. Public Works Supervisor created a document outlining procedures for snow removal and winter emergencies. It was presented to Council for review and comment. Changes needed to be made include the Mayor's authority to declare an emergency and how complaints are handled. Newcomer asked if this was directed first to the public works committee for comment. It was not. He suggested that items like this first go through the committee so they may make their recommendations to all of council.
 - G. A discussion is requested regarding the MOU between the Borough and the Storm Water Authority. At the December Council meeting Armbruster brought up concerns that the MOU, created in 2017, is not being followed. The SWA added the topic to their December meeting agenda to discuss. Solicitor Kern advised Council and will similarly advise the SWA that she cannot represent both if it would come to that. She suggested one body prepare and present a proposed draft to the other rather than negotiating back and forth. Council will wait for feedback from the Authority.

4. Citizen Comments

- A. Kingsley Jatto from Howard Hanna and his clients Michael and Hallmatov Akol addressed Council. The Akol's purchased 2921 Walnut, a commercial property. They have been communicating with the Zoning Officer but believe they should be given relief by Council regarding the parking requirements. Deardorff and the Solicitor advised them they need to seek relief from the Zoning Hearing Board and not Council. They contend that since purchasing the property they are now paying taxes but cannot do what they intended on doing with the property because of the limited parking.

5. Council Comments

- A. Stokes gave an update on the SALDO permits currently being heard by the Planning Commission. He commented on Officer Tritt's benevolent actions with a homeless person and thanked Vicki Shaw for her service to Borough Council and the community.
- B. Newcomer thanked Mark Sostar for putting together the Snow Ops Plan.
- C. Deardorff recognized Officer Norton for his work trying to solve a theft of packages reporting that he received two comments from members of the community that they thought Norton did more than necessary to try and solve the crimes. He also thanked Vicki Shaw for her service to Council and the community

6. The meeting was adjourned at 7:38pm

Respectfully submitted,

Joseph Hogarth
Borough Secretary