

Penbrook Borough Council Meeting Minutes  
December 4, 2023

1. Call to order
  - A. On December 4, 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. The solicitor attended virtually.
2. Action on the minutes
  - A. On the November 6 council meeting minutes, motion to approve by Dry and seconded by Newcomer. Carried unanimously.
  - B. On the November 13 budget meeting, motion to approve by Armbruster seconded by Dry. Carried unanimously.
  - C. On the November 20 caucus meeting, motion to approve by Newcomer seconded by Armbruster. Carried unanimously.
3. Citizen comments on agenda items: N/A
4. Reports
  - A. The Mayor provided Council with the November 2023 Police report
  - B. Treasurer – Hogarth read the Treasurer’s report for November 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 proposed 2024 budget was properly advertised for public review and can be acted upon.
    - ii. The PLGIT investments will soon mature for rollover. Council needs to be aware that the current rates for the investments are very close to the normal Prime rates. Since there is no action item on the agenda prior to the maturity date Hogarth will revisit this at a later meeting for Council to consider.

iii. An update to the Little Valley project was given.

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

- a. The proposed tax ordinance was properly advertised and ready for action later on the agenda. A full report was distributed to all of Council via email.

E. STEMS – No report

F. Fire Chief – Chief Murphy reviewed monthly stats.

G. Committees

- i. Codes – Deardorff reviewed the codes and property maint. stats sent to all of Council via email.

ii. Public Safety –

- a. Order of succession members for November are Dry Deardorff and N. Shaw
- b. EMC Bloss is currently collecting emergency plans from the daycares.
- c. Bloss advised he wants to reach out to the community with cards to be returned reference special needs in the event of an emergency or evacuation.

iii. Parks and Property –

- a. The committee has met with the Police Athletic League regarding the use of the large CP ball field. Stokes requested this be on the January Caucus for further discussion.
- b. Stokes commented that members of the community continue to partner with CAGA and worked to remove leaves from the section of the greenbelt adjacent to the borough.

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

v. Personnel – No report

vi. Community and Government – Report given on the Holiday event, unsure that the Lion's will be holding a new year's event.

vii. Budget – There are a number of action items under new business that will pertain to the 2024 budget.

viii. Authority – The December meeting will likely be cancelled.

ix. Planning Commission –

a. Stokes gave an update regarding the SALDO app from IDP regarding the 2701 Herr property and noted that there are 2 issues that may require a variance.

b. The borough has officially received a SALDO app from the property at 650 S 28<sup>th</sup> Street.

## 5. New Business

A. Armbruster provided handouts to most referencing the MOU between the Borough and the SWA. Armbruster contends that the MOU isn't being followed, particularly involving invoicing the SWA for expenses. Hogarth said the monthly financial reports from 2017 suggest the MOU has never been followed and the SWA fund is handled in the same manner in which all other funds are with the exception being the SWA has authority over that fund rather than Council. Armbruster said the major problem is that salaries for employees working on SWA projects are taken at a flat percentage. Hogarth said that was not true, that each employee accounts for hours worked during each pay period and those hourly rates are taken from the SWA's fund and transferred to the payroll account of the general fund. Newcomer suggested that if there's an MOU it should be followed. Hogarth said the issue with the MOU not being followed was brought up two years ago (See May 2021 Caucus Minutes) and the decision was to deal with it at a later date. Deardorff suggested this be added to the February Caucus Agenda.

B. A motion is needed to approve and adopt the proposed budget for 2024. A motion to approve was made by Armbruster and seconded by Dry. N. Shaw said he believed the purchase of the vehicle for the Codes department needed to be voted on separately. Deardorff said it did not because it was discussed in advertised budget meetings and was part of

the budget. Hogarth referenced the minutes which reflected Armbruster's suggestion that the vehicle be purchased in 2023 since we had the money in the VCR fund. There were no dissenting comments at that meeting and the vehicle was added to the 2024 budget. Hogarth explained that CoStars does not allow a vehicle to be purchased off the lot unless that vehicle was ordered by another municipality and rejected. And after the last budget meeting Hogarth advised the dealership to order the vehicle. Depending on when the vehicle arrives will determine when the vehicle is paid for. N. Shaw asserted the vehicle needed to be voted on separately. Deardorff said there was a motion to approve and a second on the table. There was no further discussion. Motion carried unanimously.

- C. A motion is needed to approve Resolution 2023-22 establishing rates for the collection and removal of solid waste and recycling for 2024. Armbruster made a motion to approve, and Stokes seconded. Carried unanimously.
- D. A motion is needed to approve Ordinance 2023-04 Tax Ordinance. Armbruster made a motion to approve and N. Shaw Seconded. Carried unanimously.
- E. A motion is needed to approve Resolution 2023-23 appointing Olivia Claycomb to the Zoning Hearing Board. Dry made a motion to approve and Newcomer seconded. Carried unanimously.
- F. A motion is needed to approve Resolution 2023-24 for Pension contributions. A motion to approve was made by Armbruster and seconded by Newcomer. Carried unanimously.
- G. A motion is needed to approve Resolution 2023-25 updated the fee schedule to reflect the SALDO escrow. Newcomer made a motion to approve and Armbruster seconded. Carried unanimously.
- H. A motion is needed to approve Resolution 2023-26 re-imposing the annual charge for Class I and Class II users of the sanitary sewer system for 2024. Armbruster made a motion to approve and Dry seconded. Carried unanimously.
- I. A motion is needed to authorize advertisement of proposed Ordinance 2023-6, Amending Chapter 41-2 of the Code to decrease the number of Planning Commission members from 7 to 5. Stokes made a motion to approve and Armbruster seconded. Carried unanimously.
- J. A motion is needed to approve Officer John Pesce as successfully completing probationary status. Dry made the motion to approve and Armbruster seconded. Carried unanimously.

K. A discussion regarding a request by Weight Watchers for regular use of the community room. WW contacted Armbruster asking about using the room every Friday evening and Saturday morning for approximately 2 hours each time and about 50 people attending. Possible conflicts were discussed and decided long-term groups such as the Lions would have priority. Parking will likely be an issue as well. Newcomer suggested a price of \$250/wk. Armbruster said he would have them reach out to Hogarth and then it could be brought back to Council with more specific information to consider.

6. Visitors to be heard

A. Connie Wilson 2706 Boas commented on her support for the Penbrook F.D. and supports the tax increase. She also would like to see more programs offered to the youth of the community.

7. Council comments

A. Deardorff thanked all of the elected officials for their work in 2023 getting a lot accomplished.

8. Action on the bills to be paid

A motion was made by Armbruster to pay the bills and seconded by Shaw. Armbruster asked what the check was for paid to employee Shaun Trude. Hogarth said it was a health insurance opt-out payment. Motion carried unanimously.

9. N. Shaw made a motion to adjourn the public meeting at 7:54pm. Seconded by Armbruster and carried.

Respectfully submitted and attested,

Joseph Hogarth  
Borough Manager and Municipal Secretary