

Penbrook Borough Council Meeting Minutes
August 5, 2024

1. Call to order
 - A. On August 5, 2024 President Deardorff called the Borough Council to order at 6:30 pm followed by a salute to the flag and a prayer from Pastor Mark.
 - B. Roll call was performed. Dry was absent. Solicitor Kern, Engineer Smith and Manager Hogarth were in attendance as well.
2. Oath of Office by Mayor McDonald to Officer/Cadet Jackson Yanich.
3. Citizen comments on agenda items:

Carlton Whisonant on New Business C and D but will reserve comment until New Business.
4. Consent Agenda: Armbruster made a motion to approve all items and Moore seconded. There was no further discussion. Passed unanimously. Items listed were July 1 minutes, July 29 budget minutes, July Treasurer's report, Approval of bills. .
4. Reports
 - A. The Mayor provided Council with the July 2024 Police report.
 - B. Manager:
 - i. Reviewed meeting notes, issues and progress with Little Valley Phases 2 and 3.
 - ii. Reviewed meeting notes with H.E. Black regarding master plan for future Community Park and the LSA Grant application
 - C. Solicitor
 - i. The proposed Ordinance 2024-03 has been properly advertised and can be acted upon under new business.
 - D. STEMS – N/A.

E. Fire Chief – Chief Murphy reviewed the monthly activity report.

F. Committees

i. Codes –

a. Burdine reviewed the monthly codes activity report.

ii. Public Safety – No report from EMC Bloss or Committee Chair.

iii. Parks and Property – Newcomer recapped the Summer Program

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

v. Personnel – No report

vi. Community and Government – Moore highlighted upcoming events including National Night Out and the Senior Expo happening this week.

vii. Budget – Armbruster commented that the next budget meeting will feature the Fire Protection Tax and the Codes portion of the General Fund Expenses.

viii. Authority – No report

ix. Planning Commission –

a. 2701 Herr is being presented tonight with an action item under new business. The revised plan for 650 S 28th will be discussed at the August Caucus meeting.

5. New Business

A. A motion is needed to approve or reject Ordinance 2024-03, Amending Chapter 230, Street and Sidewalk Excavations, amending regulations for permits, street cuts and excavating activities within the public right-of-way in the Borough. Armbruster made a motion to approve. Deardorff

seconded. Armbruster asked if the drawings in Article 3 remain. Kern said they would. Armbruster asked about fees. Kern said the fees should be reviewed and updated if necessary, yearly by Resolution. No further discussion. Carried unanimously.

- B. A discussion and if necessary, action on the Subdivision and Land Development plan application submitted by Herr Street Partners, LLC for 2701 Herr. Justin Kuhn of Herr Street Partners reviewed the list of comments offered by Borough Engineer, Jeremy Smith. Armbruster asked if there were going to be sidewalks along Ludwig. Kuhn said no, as there were none there in the past. Shaw asked if the property would be sold or leased. Kuhn said it depended on the future potential business but the partners would be opened to either option. Newcomer asked why it should be approved now before the list of 8 issues are satisfied. Kern said there is a deadline for Council to respond and no response would result in an implied approval by Council. Deardorff made a motion to approve the subdivision and land development plan submitted by Herr Street Partners, LLC for 2701 Herr on the condition that the applicant must satisfy all requirements as noted in comments one through eight of the Borough Engineer's review letter number three dated July 29, 2024. Burdine seconded. Carried unanimously.
- C. Carlton Whisonant, owner of CW Fish fry, presented Council with a request for Co-sponsorship for the upcoming Local Share Grant. Whisonant said they had applied last year with Council's sponsorship but the grant was denied. Whisonant described the business as a food truck and catering business but also described their other missions of feeding the community including monthly food give-aways and making food boxes for senior citizens. Left over food from the Fish fry business would be given away at those events. There is an action item later in the agenda for this request.
- D. Council has 4 requests to consider regarding the 2024-25 Local Share Grant application. Council will consider each separately. They include:
 - a. The Borough's own application for the purpose of funding a master plan for the planning of the Community Park rehabilitation project. Manager Hogarth suggested requesting the maximum amount of \$150,000.00 and modify the amount once a firm proposal is offered by H.E. Black and Associates. Newcomer

suggested modifying the application to seek funding for both the master plan and the debt service payment the Borough is making. Hogarth believes, from past experience, we won't get the funding necessary for the project. Newcomer suggested using other grant opportunities to make up the difference. Hogarth expressed the concern of the burden of applying for and managing grants. Newcomer suggested evaluating borough staffing if that was the case. Shaw made a motion to apply for funding for both the master plan and the debt service payment. Newcomer seconded. Deardorff asked for a roll call vote. Stokes, Shaw and Newcomer voted for the motion. Armbruster, Moore, Burdine and Deardorff voted against the motion. Motion failed. Newcomer then made a motion to apply for just the master plan. Burdine seconded. The motion carried with Shaw being a vote against.

- b. A request was made by Beacon Clinic for Health and Hope for LSA co-sponsorship. Stokes made a motion to approve. Newcomer seconded. Motion carried unanimously.
- c. Regarding the request for co-sponsorship from CW Fish fry and Catering, Burdine made a motion to approve and Moore seconded. Motion carried unanimously.
- d. Regarding the request from SOAL for a letter of support for their grant application co-sponsored by Susquehanna Twp, Moore made a motion to approve and Burdine seconded. Motion carried unanimously. Hogarth then asked Council to prioritize the projects as he will get asked by the board reviewing the applications. Council decided that the Borough's project should remain the number one priority followed by the Beacon Clinic and then CW Fish Fry and Catering.
- E. Dry made a request for an agenda item to discuss funding for new decorations that hang on the street light poles during the Christmas holiday period. Dry was absent. The action item should be moved to the August Caucus agenda.

6. Visitors to be heard –

- A. Clyde Bateman 2615 Boas commented on parking complaints

B. Samonia Whisonant 510 S 29th St. advised Council they will be having a fund raiser on Oct 19 at which the Mayor will be the speaker. The event is a 50's theme and all of Council are invited.

7. Council comments –

A. Stokes asked if there could be a 2-sided insert in the next newsletter with the Fall Fest event advertised on one side and information regarding the upcoming referendum question for brew pubs in the borough on the other. Armbruster reminded Council that he will no longer be publishing the newsletter.

B. Moore asked Hogarth if the NNO and Senior Expo events could be featured on the sign board. Hogarth said he would take care of it.

8. Shaw made a motion to adjourn the meeting at 8:09 pm. Armbruster seconded. Carried unanimously.

Respectfully submitted and attested,

Joseph Hogarth
Borough Manager and Municipal Secretary