

Penbrook Borough Council Meeting Minutes  
September 3, 2024

1. Call to order
  - A. On September 3, 2024 President Deardorff called the Borough Council to order at 6:32 pm followed by a salute to the flag and a moment of silence.
  - B. Roll call was performed. Shaw and Burdine were absent. Stokes attended via Teams. There was a physical quorum of 5. Solicitor Kern, Engineer Smith and Manager Hogarth were in attendance as well.
  
2. Citizen comments on agenda items: N/A
  
3. Consent Agenda: Moore made a motion to approve all items and Armbruster seconded. There was no further discussion. Passed unanimously. Items listed were July 15 minutes, Aug 5 minutes, Aug 12 budget minutes, Aug 19 minutes, Aug 26 budget minutes, August 2024 Treasurer's report, Approval of bills to be paid. Also there were 2 action items approved as part of the consent agenda:
  - A. The Municipal Partners' Agreement naming a special counsel to represent the Borough in matters involving rates and billing from CRW.
  - B. Resolution 2024-11 authorizing a second addendum to the agreement with the City of Harrisburg for solid waste and recycling collection.
  
4. Reports
  - A. The Mayor provided Council with the August 2024 Police report.
  - B. Manager: Updated Council on the Little Valley Park project status
  - C. Solicitor: Comments and recommendations regarding agenda action items were provided to Council via a written report.
  - D. STEMS – N/A
  - E. Fire Chief – Deardorff read monthly FD stat report and mentioned several upcoming fund-raising events.

## F. Committees

### i. Codes –

a. Deardorff reviewed the monthly codes activity report.

ii. Public Safety – No report from EMC Bloss or Committee Chair. Deardorff, Moore and Stokes are on call for EOC response.

iii. Parks and Property – Newcomer reported that Sabrina Herb is willing to continue with the Little Valley Summer program for 2025. There will be a Fall Fest planning meeting prior to the next Parks Subcommittee meeting.

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

v. Personnel – No report

vi. Community and Government – Moore highlighted upcoming events and the date and time of the next meeting.

vii. Budget – Armbruster commented that the next budget meeting will feature the police department's expense portion of the general fund.

viii. Authority – Dry reported on several issues including delinquent tax collection will continue with CGA Law, the basin project is complete, USG has been approved to clean and televise a storm line near 25<sup>th</sup> and Herr and the Authority continues to work on the draft MOU.

ix. Planning Commission – The commission would like to include a fact sheet as an insert in the upcoming newsletter. The topic is the upcoming referendum question that will appear on the Nov ballot.

## 5. New Business

A. A discussion and if necessary, a motion to approve or reject Resolution 2024-12 adopting an updated fee schedule, in part setting fees for the permit application and renewal for the keeping of chickens in the

Borough. Kern commented that the fee resolution updates not only the keeping of chickens but also for the new street cut ordinance and specific fees for zoning applications. These new fees were reviewed by Kern. Moore made a motion to approve. Newcomer seconded. Armbruster asked where the addendum was. Kern pointed out it was sent in an earlier email. Addendum located. No further discussion. Carried unanimously.

- B. A discussion and if necessary, action on the Subdivision and Land Development plan application submitted by Mark Romeo on behalf of Timothy Dailey for 650 S. 28<sup>th</sup> St. Elizabeth Foote was in attendance for the applicant. During the discussion, Foote made a call to Mark Romeo so he could be part of the discussion. Engineer Jeremy Smith was part of the discussion as well. Smith and Kern are suggesting that there be required that the applicant provide financial security and that the recorded plan include the sidewalk easement. Smith also suggests that the plan detail the sidewalks be 5 feet in width and not 4 feet for ADA access. The applicant has an issue with providing the security bond because they believe that doing the infrastructure work prior to filing the plan will alleviate that need. Smith disagrees and commented that security bonds for public improvements are very common. Hogarth stated that there is a bond requirement under the excavation ordinance so in doing street cuts to improve sewer, water or any other utility service, the company doing the work will be required to provide the security bond. The following motion was made by Newcomer:

motion to waive: (i) the requirement to submit a separate preliminary plan (Section 233-11); (ii) the requirement to show existing natural features (Section 233-22.a(1)); (iii) the requirement to submit a landscape plan (Section 233-22.a(3)); and (iv) the requirement to dedicate 1,500 square feet of recreational open space per lot or pay a fee in lieu of land dedication (Sections 233-24.b.(2)(a) and 233-24.E), and to conditionally approve the subdivision and land development plan submitted by Mark Romeo on behalf of Timothy Dailey for 650 S 28th Street on the conditions that the applicant must: (i) satisfy any and all financial security requirements and pay all fees as provided under Penbrook Code related to the required street cut permits necessary for the plan improvements; (ii) satisfy any and all requirements as noted in comments one (1) through three (3), five (5) through eleven (11) and thirteen (13) of the Borough Engineer's review letter number two dated July 22, 2024;

(iii) provide notes and details on the plan regarding the lot owner responsibility to construct and install curbs upon notice from the Borough; and (iv) provide notes and details on the plan regarding the lot owner responsibility to construct and install five (5) foot wide sidewalks upon notice from the Borough. Armbruster seconded. Carried unanimously.

6. Visitors to be heard – N/A

7. Council comments – N/A

8. Newcomer made a motion to adjourn the meeting at 7:55 pm. Moore seconded. Carried unanimously.

Respectfully submitted and attested,

Joseph Hogarth  
Borough Manager and Municipal Secretary