

Newport Borough council  
July 7, 2015 – Regular Meeting  
Newport, Pennsylvania

Council President Gerald Robinson called the meeting to order at 7:00 P.M. with Borough Council Members Penny Frownfelter, Tami Halstead, James Prescott, Douglas Beatty, Carl Roush and John McNaughton present.

OTHERS PRESENT - Mayor Mary Hetrick and Secretary/Treasurer Patricia Bowers, Todd Mace (PESI)

GUESTS – Richard Delancey, Gary Andrews, Frank Campbell, Paddi Sharar, Luke Roman, Eugene Alex and Tom Fitzpatrick.

**PIB LOAN DOCUMENTS AND ORDINANCE ADOPTION** - President Robinson introduced the new Solicitor William Dissinger to everyone. Mr. Dissinger reviewed some of the items that needed to be done for the PIB Loan for the 5<sup>th</sup> Street Project. He prepared the Ordinance for advertising. The adoption of the ordinance authorizes the borrowing of the money. The ordinance was advertised for adoption and must be advertised once more after it is adopted. All the paperwork is filled out for submittal to DCED. There is a filing fee of \$64.36 to the Commonwealth of PA. The Borough will have to open an account for the deposit of the PIB money. Cl'm Roush moved, seconded by Cl'm Frownfelter to adopt the PIB Loan Ordinance # 361 which authorizes the borrowing of the money for the Fifth Street Project and to authorize the fee of \$64.36 to the Commonwealth of PA for the submittal of the paperwork. Motion carried with Borough Council Members Penny Frownfelter, Tami Halstead, James Prescott, Douglas Beatty, Carl Roush, John McNaughton and Gerald Robinson voting yea. There were no nay votes. All the paperwork was signed for the attorney to submit.

**PESI REPORT ON THE NEWPORT WWTP** - Todd Mace, PESI, reported he received (2) quotes for the cleaning of the recommended lines, which is a part of the Nine Minimum Control Plan. Todd recommended cleaning the lines first and then televising them. Kline's gave a quote of \$2,405 and Nazztech gave a quote of \$3,000. Nazztech offered more time and would have (2) operators to do the job. Cl'm Frownfelter moved, seconded by Cl'm Prescott to accept the quote from Nazztech in the amount of \$3,000 with a start date after August 1, 2015 but before August 14, 2105. Motion carried unanimously. Todd Mace reported he distributed a letter to Council giving a 30 day notice of a rate increase to \$7,900.00 a month for PESI Services. They lost their operator who was local and cannot find a local replacement therefore he has to increase his rate. Price will go up August 8, 2015.

**GUESTS** - Mayor Mary Hetrick representing the 175<sup>th</sup> Committee asked if the Committee could sell the remaining commemorative books from the 150<sup>th</sup> Celebration. There are (8) books left. Cl'm Frownfelter moved, seconded by Cl'm Beatty to allow the 175<sup>th</sup> Committee to sell the last (8) 150<sup>th</sup> Celebration Commemorative Books. Motion carried unanimously. Mayor Hetrick reviewed the schedule for the opening ceremony events. She asked that all Council Members come to the Square at 5:00 P.M. She asked who would be riding in the parade on July 25, 2015. President Robinson was chosen to ride in the parade. Mayor Hetrick asked permission for the Parade Committee to use biodegradable detergent to mark divisions for the parade event. Council had no problem with. Gary Eby and Lisa Albright are head of the Parade Committee if Borough Council has any questions. Mayor Hetrick announced we received a greeting from Governor Tom Wolfe for our 175<sup>th</sup> Celebration. Frank Campbell reported at 5:00 P.M. on the Sunday the 19<sup>th</sup> the State Borough's Association will present a proclamation to Borough Council. Operation ReNewport will be doing projects around town in preparation for the 175<sup>th</sup> Celebration. If you know anyone who needs help sprucing up let them know. President Robinson thanked the Mayor and Frank and everyone else involved with the Celebration for all their efforts in preparing for this event.

**PUBLIC COMMENT – Paddi Sharar** commented that some things have been brought to her attention. Due to the Newport Celebrates 175<sup>th</sup> upcoming event; we have an opportunity to improve the look of the community but to also improve the implementation of the laws that have been put into place. Her concern is that these regulations are going to not be in affect if we continue to go the way we are. There are a lot of things that are being overlooked and we need to take the opportunity to help the people in the borough cleanup their houses and to make better use of the people

that want to help do that. One of the things that has caught her attention is the big sign at Kauffman's property. The sign is (2) or (3) times larger than it should be. Sign law says 40 square feet; that is 4 X 10 feet; should be. Should have been taken down in 2000; it is not maintained by Kauffman at all. The muffler sign is not maintained. Neither one of the signs are in compliance. If we keep allowing these types of things, we will have more of it because there is nothing there to back us up when we do have a situation. We need to comply with the laws that have been put into place. She went down 4<sup>th</sup> Street coming down here, she had a picture of a hole in a sidewalk, and it looked like someone took a drain out. She took a picture of a tree growing out of a step that goes up to the back of the property. She had (2) pictures of a brick sidewalk that you really have to watch when you walk through there. She didn't know how people got insurance. This is the kind of thing she is talking about. The 175<sup>th</sup> Committee set up the ReNewport and if you ask people to try to rectify these situations with a positive attitude she thinks it can be done without people getting really angry because you're throwing laws in their face. Also she went down Front Street and there is a truck sitting that has (2) flat tires; it is white and has rust all over it. It looks like it has been parked there for more than (4) days. If you just walk around Newport a little bit you can see what the problems are. She doesn't think you can walk on any street the entire way without finding sidewalks that really need some kind of upkeep. It is a perfect time to go around and check these things and ask people in a positive way to get something done. **President Robinson** commented that what people don't realize is that these trees in town has a lot to do with the problems with the sidewalks. Also the brick sidewalks are old and were not laid by today's technology. Imposing an ordinance to get the sidewalks fixed; he doesn't think we will get compliance. **Cl'm Frownfelter** commented she walks a lot around town and maintaining a home is a part of owning a home. The ordinances are not being enforced. President Robinson commented we will see what we can do to help the situation. **Eugene Alex** commented that when the Borough is televising the lines he would like to see these as a homeowner. He asked the increase of \$800.00 for the operation of the sewer plant, what does that mean for the residents. **Gary Andrews** thanked the Borough for doing what they did to take care of the water problem and it took most of the water away. Is the Borough going to put a drain in yet? President Robinson commented not at this time; we will monitor the situation. A large part of the problem is there is no curbing. Mr. Andrews said he has access to getting small quantities of blacktop and asked if he could put a rolled curb along side of his sidewalk so the water wouldn't flow in. President Robinson commented make sure you have the property owner's permission to do any other curbing. Borough will not be liable for that. Mr. Andrews commented he would like to do his sidewalk eventually. With the Borough's permission he will take the tree down alongside his sidewalk when he does put in a new sidewalk. **Frank Campbell** addressed Borough Council in reference to the sign at Kauffman's. If we have codes you need to enforce them. The billboard was not maintained and should have been torn down. Because they changed the sign they have to comply with the 40 square foot rule. Through a misunderstanding he screwed up the sign and it ended up being 40.94 square feet. Cl'm Frownfelter commented the sign ordinance is not a priority right now. Frank asked to change the ordinance or make the billboard sign exempt. The exemption would be to make it a community billboard. President Robinson maybe possibly make a new classification. There are other businesses in town that have signs and some are maintained and some are not. President Robinson suggested they go ahead with plans for the sign and the Council will make an amendment. Frank commented that this sign would be permanent. Cl'm Halstead moved, seconded by Cl'm Frownfelter to amend the Zoning Ordinance, Chapter 250, Article XIII so the Kauffman's billboard sign(donated by Kauffman's) at Front and Market Streets will be in compliance and will be a community sign in its current condition. Motion carried unanimously.

**APPROVAL OF MINUTES** – Cl'm McNaughton moved, seconded by Cl'm Frownfelter to approve the June 2, 2015 Regular Meeting Minutes as drafted. Motion carried unanimously.

**FINANCIAL REPORT** – Newport General Fund Account balance July 1, 2015 was \$217,921.20. Outstanding bills presented for payment to include an invoice for reimbursement to repair weed whackers from Cl'm Beatty in the amount of \$35.00 to total \$7,536.55. Estimated income for the balance of July of \$1,201.49. Estimated expenses for the balance of July of \$20,694.00 will leave an estimated balance July 31, 2015 of \$190,892.14. Liquid Fuels Account balance July 1, 2015 was \$54,747.55. Truck payment of \$1,235.78 to Juniata Valley Bank will leave a balance of \$53,511.77. Sewer Revenue Account balance July 1, 2015 was \$89,878.60. Outstanding bills presented for payment in the amount of \$27,879.94 will leave a balance of \$61,998.66. Cl'm McNaughton moved, seconded by Cl'm Roush to accept the

Financial Report as presented. Motion carried unanimously. President Robinson commented the finances are better this year than last year.

**APPROVAL OF BILLS** – Cl'm Frownfelter moved, seconded by Cl'm Beatty to pay the outstanding bills in the amount of \$7,536.55 from the General Fund Account and pay the outstanding bills in the amount of \$27,879.94 from the Sewer Revenue Account. Motion carried unanimously.

**JULY 20, 2015 MEETING WITH OLIVER TOWNSHIP – POLICE PROTECTION** - President Robinson reported they will be meeting with Oliver Township that will be a workshop type meeting to only discuss conceptually having a regional police force. DCED will be there along with Stover Clark the grant writer.

**ADOPTION OF AMENDMENTS TO ORDINANCE #348, Chapter 173 & 237** – Cl'm Halstead moved, seconded by Cl'm Frownfelter to adopt Ordinance # 359 amending Ordinance #348, Chapter 237 Vehicles and Traffic, Article III, General Parking Regulations, Subsection 237-29 Unlawful to Park Vehicle on Street for More than (4) Days; amend to authorize the Code Enforcement Officer and/or Police to extend the period of (4) days for valid cause, amending Ordinance # 348 Chapter 237 Article IV, Removal and Impoundment of Illegally Parked Vehicles, Subsection 237-33 A, B,C,and D to authorize the Code Enforcement Officer and/or the Police wherever the police are indicated in this subsection and amend Ordinance #348, Subsection 237-61, Violations and Penalties , to add the following; any individual who parks in a permitted residential handicapped parking space shall have a current permit and any individual parking in a permitted residential handicapped parking space without a permit shall be subject to the handicapped parking fine of \$25.00 and or towing with fees if deemed necessary by the Code Enforcement Officer and/or the Police. Motion carried unanimously. Cl'm Halstead moved, seconded by Cl'm Frownfelter to adopt Ordinance # 360 amending Ordinance # 348 Chapter 173, Property Maintenance, Article I , General Provisions , Subsection 173-7 Yards, Open Lots, Parking Area from "No person shall permit" to "No person owning or occupying shall not permit" and to add the following letter (F) Any grass, weeds or any vegetation whatsoever not edible or planted for a useful or ornamental purpose to grow or remain upon a premise so as to exceed a height of (6) inches and amend Ordinance # 348 Subsection 173-12 Notice of Violation, to change the time period for the receipt of notice and for the voluntary compliance from 30 days to 10 days. Motion carried unanimously.

**NORFOLK SOUTHERN BANK CLEANING** – President Robinson reported the Street Crew has been cleaning the bank belonging to Norfolk Southern on Front Street. Maybe the Borough should think about investing in a brush hog for trimming the underbrush on the banks. It would be good to use up on Fickes also. Cl'm Frownfelter will ask if the Water Authority might be interested in splitting the cost. Cl'm McNaughton commented make sure it is compatible with the existing tractor. Will look into.

**MEMO FROM TIM SEIBER REGARDING THE SEWER AUTHORITY** – Tim Seiber submitted a little information and a look ahead memo. Tim needs the list of the (4) companies that Jerry and he discussed. The Lease agreement between the Borough and the Authority needs to be discussed prior to the 120 day notice meaning July or August. Tim had questions from bond counsel concerning their debt service income. He asked what is the impact on the yearly budget since we have PESI working at the plant. The Authority has been compiling previously paid bills that relate to the design and construction of the new plant. These bills will be divided using the agreed percentages for the new plant capital improvement. Once the information is complete a meeting will be planned. Tim asked that a Borough Representative attend. Hopefully the meeting will be in late July or early August.

**2015 FIRE PROTECTION PAYMENT** – Cl'm McNaughton moved, seconded by Cl'm Roush to pay the 2015 Fire Protection Payment to Citizen's Fire Company #1 in the amount of \$19,378.77. Motion carried unanimously.

**BUDGET PREP FOR 2016** – Secretary Bowers forgot to print out the budget worksheets for 2016. They will be coming out.

**CHILDREN AT PLAY SIGNS REQUEST** – Letter was submitted by Lewis and Tina Brandt of 51 S 5<sup>th</sup> Street requesting that “Children At Play” Signs be put up to slow traffic down. People are speeding down their street. After a brief discussion, Borough Council will send a letter Mr. and Mrs. Brandt letting them know the Borough will not erect signs, they can do that themselves; they have to be appropriate signs though if they put any up.

**COMPUTER PURCHASE FOR CODE ENFORCEMENT OFFICER** - Cl'm Frownfelter moved, seconded by Cl'm McNaughton to authorize the purchase of a new computer for the Code Enforcement Officer as a cost not to exceed \$500.00. Motion carried unanimously.

**PSAB RESOLUTION FOR THE SUPPORT OF MEDICAL MARIJUANA** – Borough Council had a brief discussion in regards to the PSAB Resolution for the support of the passage of Senate Bill 3, to end the prohibition unduly imposed on the use of the Cannabis plant and its applications for medicinal purposes within the borders of the state of Pennsylvania. No action taken for the support of the Resolution.

**POT HOLE PATCHING PROJECT BY ROGELE** – President Robinson reviewed the areas that Rogele has completed. Rogele patched potholes on 5<sup>th</sup> and Gantt Streets, on 2<sup>nd</sup> Street from the playground to Dock Street, S 2<sup>nd</sup> Street to Mulberry and patched Max Kauffman’s Parking Lot where they moved the stone plaque. There are still several areas that need some attention like Penn Avenue to Mulberry, short area in the Owls Club area is pretty rough, N Front Street from Oliver to Water Treatment Plant. These are just some of the areas. Someone mentioned the RR Crossing needed fixed on Fickes Street. We need to get the railroad to fix. President Robinson commented he is looking into Pothole Killers.

**MAYOR’S REPORT** – Nothing to report at this time.

**COMMUNICATIONS** - Received a Thank You Letter from Alyscia Smith for her being selected to receive the Community Service Award.

- Everyone received a copy of the Letter from the Perry County Commissioners announcing the opening of the Federal Fiscal Year 2015 CDBG Program. This grant is for municipalities with a population of 4,000 or less. They will have approximately \$242,000.00 to distribute this round.
- Letter from Perry County Planning in regards to the request for comments on the Township’s allocation to the Commonwealth Financing Authority that was received from Oliver Township’s engineer Glace Associates.
- Letter from Holy Spirit EMS making us aware of the new EMS resource.
- Letter from Penn Dot confirming we are squared away on the Liquid Fuels reimbursement of \$1,401.66.
- Letter from Larson Design in regards to the Act 14,67 and 68 Notification required by NBMA to inform the Borough of their intent to submit applications to the Penna Dept of Environmental Protection for the new WWTP.

**LETTERS OF REQUEST FROM NBMA** – NBMA requested that the Borough amend the Sewer Ordinance or adopt a resolution to charge the minimum rate to anyone having a sewer lateral going to their property whether it be vacant or not. We have people that are still using the sewer laterals even though their water has been shut off. The problem is you have to prove they are using the lateral. President Robinson commented the purpose of this request is people have their water shut off for non-payment but still carry water to use the sewer. In essence it is for free and it shouldn’t be. He didn’t agree with the way this was proposed. That doesn’t mean no; it means we have to clean this up a little. Contact other municipalities to see how they handle. Table for now.

- NBMA also submitted a letter of request recommending that Borough Council send a letter to the Director, Roger Smith of the Mary Landis House requiring them to install a back flow prevention device in their inlet that they installed in their parking lot during the Fourth Street project to prevent any backflow into their property at their expense. A letter to will be sent to Mr. Smith at the Mary Landis House giving them a time limit of 30 days to respond to our request.

**COMMENTS AROUND THE TABLE – Cl'm Beatty** commented everyone realizes we are celebrating our 175<sup>th</sup> year but not everyone knows that the Owls Club is celebrating their 100<sup>th</sup> Anniversary. A lot of people don't realize what the Owls Club does for the community and the kids. He suggested the Borough present the Owls Club with a plaque thanking them for serving the community for 100 years. The Owls is the one of the oldest running businesses in Newport. Cl'm Frownfelter ask that Cl'm Beatty put a list together of all the things the Owls Club has done in the past five years or more so we can document it. **Cl'm Beatty** commented way back before the police department was disbanded Cl'm Prescott asked for a camera and a DVR for the playground; what ever happened to that? Cl'm Prescott replied he thought Behne and Keller put it up. Cl'm Beatty commented he hasn't seen it and that is why he was asking him. Cl'm Prescott said he thought they were installing the camera the day Keller jumped off the roof up there and said he went through the stop sign. Cl'm Halstead commented the Borough paid them (Behne and Keller) overtime to install that. Secretary Bowers commented everything should be up there, there is nothing here. We will ask Cody.

There being no further business to come before Borough Council, Cl'm Frownfelter moved, seconded by Cl'm Roush to adjourn the meeting at 9:28 P.M. Motion carried unanimously.

Respectfully Submitted,  
Patricia Bowers  
Secretary