

Newport Borough Council  
July 3, 2018 – Regular Meeting  
Newport, Pennsylvania

President Gerald Robinson called the meeting to order at 7:00 P.M. with Borough Council Members Tami Halstead, Carl Roush, John McNaughton, Barbara Leach, Richard Delancey, and Douglas Beatty present.

**OTHERS PRESENT** – Mayor Mary Hetrick and Secretary/Treasurer Heather Ilgenfritz.

**GUESTS** – Phillip Brath, Barton & Loguidice Engineering; Frank Campbell, and Pastor Donald Wagner.

**PUBLIC COMMENT** – Frank Campbell stated the Newport Borough Planning Commission's Community Day Event will be held on Saturday, July 7<sup>th</sup> and it is a big day planned with many vendor stands and local businesses will have sales, as well as the community yard sales throughout the borough. Wagon tour rides are also planned, and arrangements are being made to use the two-hour parking on Third Street by Brother's Pizza for location of the Wagon Tours.

Mr. Campbell also reported that Newport Revitalization & Preservation Society's (NRPS) PPL Grant is just about complete. PPL will be using the NRPS Grant Award as an example in their annual report. Mr. Campbell also stated the Lutheran Church would like to request utilizing the playground facilities for youth programs in 2019 and the question came up whether such programs would be covered under the Borough's Insurance policy for liability coverage during these events. The church plans to have games for the kids and crafts. Cl'm Halstead noted the ball teams that use the park have their own insurance policy. Council requested that Mr. Campbell obtain more details from Jim Zeiders regarding the Lutheran Church's liability coverage.

Pastor Don Wagner stated that he is new in town having relocated from West Virginia where he had a youth group with over 400 youth involved. There were thirteen different high schools represented in that youth group. He is the pastor for the Faith Christian Center on Lower Bailey Road, Newport. He stated that he too was in attendance to request use of the Newport Borough's Park to host Tent meetings and youth programs. The first youth group that he is currently working with has approximately 20 kids. He is agreeable to any fees and the Faith Christian Center does have its own liability insurance coverage. He stated the tent meetings are geared more for the adults. A tent would be approximately 120'x60' and sometimes these are week-long events. The children's programs and teen programs are separate activities. He stated his mission is really to work with the youth in the community. In the past, they have taken field trips to places like Asbury Park, NJ to show the children who live in the community other areas outside of the county where they reside.

There was a brief discussion regarding the different programs and which facilities may be the best venue. Cl'm McNaughton said his personal opinion is that he is not in favor of a week-long tent meeting at the Borough park as it would draw crowds and the grass at the park would be beaten down. Cl'm Halstead suggested he could utilize the Borough's Park Pavilion for the youth programs. Cl'm Halstead said she was agreeable to waiving the pavilion rental should Council choose to do so. Pastor Wagner stated the children's ministry is weekly, therefore, he would like to request use of the pavilion 2-3 times per summer season. Cl'm Leach asked if the programs are supervised and Pastor Wagner replied yes. Cl'm Halstead asked if the church already had plans to promote it. Pastor Wagner said it is by word of mouth / door-to-door. He stated he does have a team and the Street Preacher organizes part of the church team. Mayor Hetrick asked Pastor Wagner if he would consider using the fairgrounds for tent meetings because there is ample parking there. Pastor Wagner said he will use any means he can, that he is here to be a blessing to the town. He left West Virginia with an established youth group of 250. He took a \$15,000 pay cut to come here and for him it's about the hearts of people and helping people. He stated he underwent a kidney transplant and this is now his mission. Cl'm Halstead agreed the fairgrounds would be a better platform for a tent meeting.

Cl'm Halstead moved, seconded Cl'm Beatty to allow Pastor Don Wagner to use the Borough pavilion for children's activities. President Robinson asked for clarification of the times. Cl'm Halstead amended her motion to waive the pavilion fee for three gatherings to begin the Fall of 2018. Frank Campbell stated the Borough would need a copy of their Insurance Certificate, and Council agreed. Cl'm McNaughton requested advance notice of the dates.

Cl'm Halstead said she would need those dates to coordinate with the Playground Committee to ensure there are no overlapping activities. Pastor Wagner will contact the Borough Secretary to coordinate the dates for use of the pavilion and provide a Certificate of Liability Insurance. Motion unanimously carried.

**FINANCIAL REPORT** – Newport General Fund Account balance July 1, 2018 was \$256,815.17. Outstanding bills presented for payment of \$4,841.72. Estimated income for the balance of July of \$14,400.00. Estimated expenses for the balance of July of \$31,211.74 will leave an estimated balance June 30, 2018 of \$235,161.71. Liquid Fuels Account balance July 1, 2018 was \$102,273.12. Outstanding bills presented for payment of \$1,731.82 will leave a balance of \$100,541.30 in the Liquid Fuels Account. Secretary Ilgenfritz stated the JVB loan will mature this month and the estimated payoff is 987.48. Cl'm McNaughton moved, seconded by Cl'm Delancey to accept the Financial Report as presented. Motion carried unanimously.

Secretary Ilgenfritz also reported as noted in the Budget Report that Larson Design did reimburse the Borough for the 50% of the cost of the electrical repair at the park. There was a deposit made for \$250.00. Cl'm Halstead moved, seconded by Cl'm Roush to accept the reimbursement of \$250.00 from Larson Design. Motion unanimously carried.

**APPROVAL OF BILLS** – Cl'm McNaughton moved, seconded by Cl'm Roush to pay the outstanding bills in the amount of \$4,841.72 from the General Fund Account and \$1,731.82 from the Liquid Fuels Account. Motion carried unanimously.

**OLD BUSINESS –**

**ENGINEERING FEES FOR THE 5<sup>TH</sup> STREET INTERCONNECTION – PA SMALL WATER & SEWER GRANT APPLICATION –**

President Robinson stated there are outstanding invoices in question for engineering fees that need to be resolved and Phil Brath was in attendance to answer Council's questions. Phil Brath stated this was work that Barton & Loguidice was asked to do for the 5<sup>th</sup> Street Interconnection project. The invoices submitted provide detail billing. Mr. Brath stated they were up against a timeframe to get it done and the grant did not get submitted in-time; nevertheless, it was work that was performed. Cl'm Leach asked when the deadline was for the grant. Mr. Brath stated he was uncertain of the exact date, but they began preparing it about three weeks prior to the due date. There was a special meeting held about four days before it was due, in which he thought Council was going to approve the submission of the grant at that meeting. Cl'm Halstead stated that special meeting was for a public hearing on a nuisance property and it had nothing to do with the grant submission. Cl'm McNaughton asked whether this work from Market to Mulberry would have to be done again in the future if and when the Borough is ready to do that portion. Cl'm McNaughton said if the Borough would not be billed again in the future for this work, then he would be in favor of paying these bills. Cl'm Halstead questioned the billing detail indicating revisions to the water main replacement drawings. She was curious as to how Barton & Loguidice ever got those figures without talking to the Newport Borough Municipal Authority. Mr. Brath stated they have those numbers. Cl'm Halstead stated she has spoken with the Borough's Solicitor and the Borough is not under the obligation to pay anything that the full Council did not approve. Cl'm Leach said the decision needs to come before the full Council, not one individual member. She knows that President Robinson tried to talk about it at the special meeting, but that meeting was not advertised to include approval of the grant submission. Cl'm Leach noted maybe that could have been done if there had been more discussion with Council. Mr. Brath replied that if the Borough Council President or the Borough Secretary gives direction then he assumes that would come through the Council. Cl'm Halstead stated the President of Council serves at the pleasure of the Borough Council, not the other way around. She further stated that this kind of information needs to flow through the Borough's Secretary so that it can be passed along to all Council members and ball does not get dropped. She noted it was nearly two months of work without documentation to the Borough's Secretary. Again, Mr. Brath stated there was Resolution that needed to be passed to secure the funding and some things that Council needed to do, however, those things did not happen since they were not included as part of Council's special meeting in February. Cl'm Halstead questioned the work related to revisions to water main replacement drawings. She stated these are revision to water not wastewater, and why would the Borough pay for revisions to water main replacement drawings when that is a portion for the Water Authority. Mr. Brath replied it was all three – water, wastewater, and stormwater. Cl'm Halstead replied if this was to be a joint grant and each entity was to receive monies from this grant then all three entities – the Water Authority, Municipal Authority and Borough should have been contacted ahead of time. President Robinson stated when looking at the 5<sup>th</sup> Street Project

they found that all the storm drains flow into the wastewater treatment plant. He said it was absolutely essential to separate those.

Cl'm Halstead said the money received from this grant would have gone to each entity; therefore, it should have been handled in such a manner and going forward this should not happen again. Cl'm Halstead said if this had come before all three entities she believes it would have been approved; however, she has a problem with approving these expenses which were not discussed and approved prior to the work being done. Cl'm Leach stated this work should not have been done without the consent of Council; however, she does not want to see this dragging on into litigation. Cl'm McNaughton made a motion to pay the engineering bills for the 5<sup>th</sup> Street Interconnection / PA Small Water & Sewer Grant Application work in the amount of \$5,505.84, but in the future the engineer needs to be more careful; and, per the Borough's Engineer, the Borough will not be billed again for this work should a grant application be submitted in the future. President Robinson called for a Roll Call Vote. Cl' Halstead voted no; Cl'm Leach voted yes; Cl'm Delancey voted yes; President Robinson voted yes; Cl'm McNaughton voted yes; Cl'm Roush voted yes; Cl'm Beatty voted yes. The motion carried by a vote of 6-1.

**NEW BUSINESS –**

**5<sup>TH</sup> STREET RECONSTRUCTION PROJECT UPDATE** - President Robinson stated the sanitary work is done with the exception of one house yet to be connected. The curbing is done on the north side of the block and they are currently in a waiting period for five days for the storm/sewer inlets to arrive.

Cl'm Roush stated the Newport Borough Municipal Authority has a Change Order for the section where the manhole is located to Walnut Street. It's about half a block. Cl'm Roush stated that he has a meeting scheduled for Thursday, July 5<sup>th</sup> at 10:00 AM with the Municipal Authority's engineer while the contractor and equipment are still on site. Cl'm Beatty stated the Change Order is for work from Amsler's property to Walnut Street. Then sewer work will be completed from Oliver to Walnut. Mr. Brath stated the Change Order needs to come to him at some point.

Cl'm Halstead reminded Council the rules regarding use of Liquid Fuels monies and the stipulation that projects be bid all at one time. She stated that we need to be cognizant of that rule. Cl'm Halstead also reviewed the PIB Loan documentation of \$125,000 for two blocks. Mr. Brath noted the work from Walnut to Market is approximately \$68,000 and that his numbers are consistent with what Cl'm Halstead has. Cl'm Halstead noted the estimate of \$275,000 to complete the work for six blocks. However, since the contractor is already mobilized the question becomes whether Council should consider doing some of the remaining work now. Cl'm Halstead moved, seconded by Cl'm McNaughton to look into the scope of the project and possibility of using Liquid Fuels money for paving and curbing from Marsh Alley to Walnut Street, and to speak with Rick Levan at PennDOT to get an estimate of available Liquid Fuels money in the budget; and, obtain a second estimate for extending the reconstruction project from Oliver to Walnut to see what the Borough can afford. Motion unanimously carried.

Cl'm Halstead requested Mr. Brath to please forward all of the documentation for the work completed on the PA Small Water Sewer Grant Application to the Borough for its records.

**APPROVAL OF 5<sup>TH</sup> STREET RECONSTRUCTION PROJECT INSPECTION SERVICES** – There was a brief discussion regarding the inspection of the 5<sup>th</sup> Street Reconstruction Project. President Robinson stated that Chris Burkholder has been doing a good job. He is doing the inspections for the Municipal Authority. Cl'm Halstead referenced Article 14 of the Bid Document regarding Inspectors. There was a brief discussion regarding the inspections. Mr. Brath noted the "owner site representative" is not the engineer. The owner and authority are to be the on-site inspectors. Mr. Brath pointed out that Barton & Loguidice offered, but were not hired to complete the inspection work. Rather he noted, there were no objections at the Pre-construction Meeting for Council President Robinson to conduct the inspections as the Site Owner Representative. Cl'm Halstead said what she is hearing is that the Borough does not have an official Inspector. Cl'm McNaughton noted President Robinson has done inspections before. Cl'm McNaughton made a motion to make Jerry Robinson and Carl Roush inspectors of the 5<sup>th</sup> Street Reconstruction Project as long as they abstain from the voting. Cl'm Halstead asked if that is to be non-paid stating she is all about saving money. President Robinson said it's not the

amount of money we are talking about here and he does not know whether the Prevailing Wage applies. President Robinson stated he is requesting to be \$15.00 per hour to complete the inspections which is a far cry from \$75.00 per hour should the Borough be subject to paying inspection fees under the Prevailing Wage. Cl'm Halstead asked if there was an inspector for the streets. Mr. Brath replied yes, someone is overseeing the work of the contractor. President Robinson explained the sanitary sewer work is done for what was planned from Walnut to Market, except for one house connection. The curbing work on the north half of the block is also done. The east side where the storm sewer goes in, they are waiting for the new inlets to arrive. That is all the Borough is responsible for. The sanitary sewer is under the purview of the Newport Borough Municipal Authority. Most of the trench work is already done for the storm sewer. Down close to Dock Alley a problem was encountered when digging. Engineers looked at it the night it was discovered. There is an old conveyance that runs directly across the street at the first house. The possibility of moving the storm sewer up to cover that subsidence at the corner of Dock and Pine. It appears now that it lines up very close with this bi-duct. The 5<sup>th</sup> Street work should eliminate this problem flow of stormwater. This is the Borough's responsibility. The old sewer will be abandoned and become the storm drain once the new sewer system is in place. Mr. Brath stated that Market Street has not been done yet as that is a State road, but the inlet is there, and they will work with PennDOT to connect it. He stated they are looking at a wholistic approach for the storm sewer. President Robinson stated there are 15-18 storm pipes to be laid right next to curbing, and the sewer is out another 5 feet and another 4 ft below. These are different trenches. Mr. Brath stated they are required to have that separation and the crossing must be encased. Currently all of the water ends up back in the sewer lines and they are working with the Municipal Authority on the separation piece. Cl'm Beatty seconded the motion on the table to approve Gerald Robinson and Carl Roush as inspectors for the 5<sup>th</sup> Street Reconstruction Project at \$15.00 per hour. President Robinson abstained. Cl'm Halstead opposed.

Cl'm Halstead asked why the Borough needs an inspector for this when most of it is sewer related work? President Robinson estimated there are 3-4 days of work remaining.

**APPROVAL OF RESOLUTION NO. 06-18 FOR THE 2018 CANAL DAY BANNER** – Cl'm Halstead moved, seconded by Cl'm McNaughton to approve Resolution No. 06-18 authorizing a banner to be erected across Market Street for the Canal Day event. Motion unanimously carried.

**ACTIVATION OF A COOLING STATION FOR NEWPORT BOROUGH AT THE NEWPORT PUBLIC LIBRARY** – Cl'm Halstead explained in response to the heat advisory issued for the region, and emails from the Perry County EMA, she reached out to the Library Director to see if the Library would be willing to open its doors for the purpose of a cooling station. Thankfully, the director was agreeable and there is no cost to the Borough other than to provide bottled water. Effective June 29, 2018, the residents may utilize the facility should they need a place to go to seek relief from the heat. The cooling station hours are Monday through Saturday from noon-6:00 pm. Cl'm Halstead stated this was done very quickly in response to multiple County emails and she will continue to try to find a church that would be willing to open its doors as a cooling station on Sunday's.

**PENN AVENUE PARKING DISCUSSION** – Cl'm Halstead stated with more apartments on Penn Avenue there have been complaints from residents that there is no place to park in that area that is not a 2-hour parking limit. Cl'm Halstead stated if Council is going to allow more and more rentals in this town, then it needs to consider the parking. Cl'm Halstead proposed reducing the restricted hours for the 2-hour parking from 8:00 a.m.-8:00 p.m. to 8:00 a.m.-6:00 p.m. so residents arriving home after work would not have to move vehicles. President Robinson said he would be willing to consider that option on a trial basis. Cl'm McNaughton was not in favor noting there are ten available parking spaces in the alley behind Carpetbaggers, but no one wants to pay to rent those spaces. Mayor Hetrick expressed her concern that it would become a permanent spot for some 24/7 and they would not follow the rules. She noted there are cars that park there longer than the four-day rule in the Borough's ordinance. No action was taken.

**OCC / PER CAPITA TAX REFUND REQUEST – J. GIBBONEY** – Secretary Ilgenfritz reviewed a request received for Council's consideration of a tax refund of 2018 Occupational and Per Capita Personal Taxes for Mr. Jan Gibboney. Mr. Gibboney

stated he was requesting consideration of a refund either in full or a partial refund since he had lost his job in April of 2018. These taxes were paid on March 30, 2018 in the amount of \$104.66. Council sympathized with Mr. Gibboney's circumstances but were not in favor of authorizing a refund. Cl'm Halstead moved, seconded by Cl'm McNaughton not to reimburse Mr. Gibboney's OCC / Per Capita tax payment of \$104.66 as he was gainfully employed at the time the taxes were paid and the Borough does not make retroactive reimbursements. Motion unanimously carried.

**DECORATIVE PAVING DISCUSSION** – President Robinson stated he was in favor of enhancing the work done on 5<sup>th</sup> street. Mr. Brath stated the Therma Plastic material is very resilient. Cl'm Halstead moved, seconded by Cl'm Leach that the Borough does not spend money for decorative paving on 5<sup>th</sup> Street. Noting they would like to see that in the downtown area, but it is not appropriate for 5<sup>th</sup> Street and a Change Order may possibly be needed if the Borough was to move forward with it. Motion carried 6-1 with President Robinson opposed.

**LED STREET LIGHTING DISCUSSION** – President Robinson reviewed a quote from Brubaker Electrical for \$225.00 per light to upgrade the street lighting to LED's. He stated the Borough could apply to PPL for reimbursement of approximately \$30.00-\$35.00 per light. Cl'm Halstead stated that she spoke with Cody Harris and if Brubaker's would show the Borough's Street Department how to do the retrofit they could then do that work to save some money. The power will be turned off while they do the work and Cody felt they could do this work. Cl'm Halstead moved, seconded by Cl'm McNaughton to have the Borough's Streets employees install the bulbs with Cl'm Beatty overseeing and reviewing the work; and, to work with the Borough Secretary to purchase the LED light bulbs. Motion carried unanimously.

**DISCUSSION ON PENNDOT'S ONLINE AUCTION** - Council President Robinson discussed an upcoming online auction held by PennDOT of used equipment. He asked Council to consider the purchase of a skid loader for the Borough's Street Department. He felt a skid loader is a more durable option. Cl'm McNaughton stated this would then eliminate the need to spend money on lift rentals through out the year. President Robinson stated a new skid loader is around \$50,000. A used skid loader would cost about \$14,000 for one this is 6-7 years old. Things to consider are how heavy, horsepower, etc. President Robinson noted the problem with the auction is there is no central location to see the equipment. Cl'm McNaughton said he is willing to consider it, but paving is a higher priority, and suggested holding off until Spring. President Robinson noted the advantage of a skid loader is that it will move heavy snow and it is more powerful whereas the tractor is too small. Cl'm Halstead noted the Liquid Fuels Budget and reminded Council of the stipulations for use of this money and exploring the possibility of upgrading the Borough's tractor. She suggested researching this more to see how much money may be available within the Liquid Fuels budget, so the expense would not come out of the General Fund. If the price obtain a price for a new tractor, then we can apply for funding through USDA, and calculate the portion of Liquid Fuels money available. She noted this process could potentially take up to a year to complete. However, Cl'm Halstead noted since the JVB loan will be paid in full, the Borough could use the money that was earmarked for those funds towards the purchase of new equipment for the Borough's Streets. Cl'm McNaughton said whatever equipment the Borough decides to purchase should be able to be retrofitted for a sweeper. Council briefly discussed payment options and there was a consensus that the Borough should be able to afford \$1,200 per month for 60 months - \$72,000.

**BOROUGH OFFICE - OUTSIDE WATER SPIGOT** – President Robinson requested permission for an outside hose spigot at the ramp outside the Borough Office. After a brief discussion, Cl'm McNaughton suggested President Robinson bring an estimate of the costs for this to the next Council meeting.

**MAYOR'S REPORT** - Mayor Hetrick read a thank you letter received from Shelby Anderson, recipient of the Community Service Award. She also reported that she attended the Ribbon Cutting Ceremony for the Hamilton Health Center and they are offering good services to the community, and it is a very nice facility. Mayor Hetrick plans to attend two Ribbon Cutting ceremonies this month – grand re-opening of Czekaj Dusharm LLC, and the grand opening of Humble Stitch on Market Street. She will also be attending the Food Truck Festival on July 7<sup>th</sup>.

**COMMITTEE REPORTS** – Cl'm McNaughton reported the Newport Borough Water Authority is operating under a temporary permit and they have met with DEP and will now have a permanent permit. Cl'm McNaughton also reviewed the Streets Report and requested approval for the Borough Streets Department to sweep the Elementary School Parking Lot again this year. Cl'm Halstead moved, seconded by Cl'm McNaughton to allow the street crew to sweep the Newport School District's elementary school parking lot for \$250.00. Motion carried unanimously.

There being no further business to come before Borough Council, Cl'm Roush moved, seconded by Cl'm McNaughton Beatty to adjourn the meeting at 9:00 P.M.

Respectfully Submitted,  
Heather Ilgenfritz  
Secretary