

Newport Borough Council  
February 3, 2015 – Regular Meeting Minutes  
Newport, Pennsylvania

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

**OTHERS PRESENT** – Mayor Mary Hetrick and Secretary/Treasurer Patricia Bowers

**GUESTS** – Doug Beatty, Mark Shull, Todd Mace, Steve Sauers, Wayne Leshar, Cody Hair, Frank Campbell, Luke Roman, Jim Fuller, Mark Campbell, Tom Fitzpatrick, Jeff Mattern, Laura Campbell, Josh Leshar, Glen Holliman and Russ Hoover.

President Robinson announced the meeting was being recorded.

**NEWPORT VETERAN’S MEMORIAL PARK PROJECT BID OPENING** – At this time the bids were opened, announced and recorded for Phase I of the Newport Veteran’s Memorial Park Project. The following bids were received:

<u>Contractor</u>	<u>Base Bid</u>	<u>Add Alt #1</u>	<u>Add At #2</u>
Wayne S Leshar Inc	\$309,062.52	\$17,252.27	\$13,545.45
CB Construction Services LLC	\$450,200.00	\$26,450.00	-\$ 3,000.00
CB Structures Inc	\$493,866.00	\$28,200.00	-\$ 2,180.00
Zartman Construction Inc	\$465,620.00	\$32,846.00	-\$ 3,500.00
East Coast Contracting Inc	\$468,700.00	\$28,000.00	-\$ 4,300.00
Premier Construction Group Inc	\$366,662.00	\$27,900.00	-\$ 5,000.00
ECl Construction	\$370,000.00	\$13,500.00	-\$ 3,300.00

**Bid opening closed at 7:23 P.M.**

**GUESTS** – Jeff Mattern, Glenn Holliman and Russ Hoover of the Perry County Sentenial Committee attended the meeting to give a presentation of the placement of historical markers to make a historical park at the corner of 4<sup>th</sup> and Market Streets. St Paul’s Lutheran Church would lease a 50 ft X 50 ft area along both sidewalks of Market and Fourth Streets. It would cost a dollar a year and the lease would be for 99 years. They presented a draft lease for the Borough Council to review for approval. There would be no issues with PA Dot as far as right of ways. At the corner of Market & 4<sup>th</sup> Streets they would like to place a cast aluminum State of PA Marker recognizing this corner and features of Newport. A lot of towns have these markers. This would be a great opportunity for Newport to be the lead area. This could be the lead off point for a heritage trail in Perry County. There is a potential to have (7) markers in this area. They asked that the Borough be the lessee so they can do this project. They would like to dedicate the State Marker in the summer, preferably for the 175th Celebration. They asked the Borough to form a committee. Frank Campbell commented NRPS is behind this project. Cl’m Halstead commented that we need to check to see if this historical park complies with the Zoning Ordinance. They will also attend the Planning Commission Meeting to discuss this project. President Robinson commented the Borough Council supports this activity and appreciates all the time and effort put forth for this project. Cl’m Halstead moved, seconded by Cl’m Frownfelter to authorize the review of the draft lease from St Paul’s Lutheran Church for the Historical Park Project by Solicitor Laskowski to see what his comments are. Motion carried unanimously.

- Frank Campbell reported the Tree Revitalize Grant was submitted. They want more permeable area for the trees. Will continue to work on that. Guest Mark Shull commented this was a labor intensive grant and Frank Campbell put a tremendous amount of hours in preparing this grant for submittal. Just a shout out for the work Frank did on that grant. Frank distributed a letter for DCNR requesting a “Waiver of Retroactivity” in regards to the Land Acquisition Grant. What this means is if we spend any money prior to receiving the grant you can get reimbursed for it. Cl’m Frownfelter moved, seconded by Cl’m Halstead authorizing the President of Council to sign the “Waiver of Retroactivity” in regards to the Land Acquisition Grant for DCNR.

**PUBLIC COMMENT – Doug Beatty** had a question for the codes officer regarding the sidewalks not being cleaned and the vehicles not being moved after several snows. Up on 4<sup>th</sup> Street particularly there are a few vehicles that have not been moved for the past couple snow. You might want to let the codes officer about this. All you have to do is drive around. **Carl Roush** commented he had a complaint for the code enforcement about people burning garbage and stuff outside, you can see the smoke. We have a no burning ordinance. Best thing to do is call the Fire Company and have them go out and put it out. **Tom Fitzpatrick** asked when the Christmas lights were going to be taken down. President Robinson commented he assumed they were coming down last Saturday but I guess the weather interfered with that. Hopefully soon I would say.

**PESI (Todd Mace) – SEWER PLANT OPERATIONS** – President Robinson introduced Todd Mace, owner of PESI and Steve Sauers, Operations Manager which are the people who will be running our sewer plant after approval tonight. Hopefully we can work out a long term arrangement. President Robinson asked Todd Mace if he had any issues that he needed to advise Borough Council about after visiting the plant for the past couple of days. Todd Mace reported he was a little short on time on a preparation of a report but there are some procedural issues that they will need to take care of. We’ll have to get with the EDMR for the state reporting through DEP. They will work with Pat to do that and also the operator change info. There are a couple of other CSO reports and operation of maintenance plan that needs done. He was hoping to get approval to do an emergency response plan, standard operating guidelines, operation and maintenance plan in general plus a collection system for the CSO that needs to be updated. Several things need to be updated there. He doesn’t have a cost estimate; depending what it needs, what it doesn’t need. There are things that need to be updated so it is brought up to speed. He didn’t know if that was something that they could get started with. Cl’m Halstead commented you might want to check with the engineer for the Municipal Authority to see what all they have. Todd commented that will be their next step. From the information they have; a little was started. Todd reported the comminutor is not working. It is dead. Motor is running, shaft is turning but the grinder at the bottom is stuck. Not sure if it is jammed or what. The headworks needs cleaned out. Cl’m Halstead commented you will have to talk to the Municipal Authority about that; it’s a capital cost. As far as PA One Calls; they weren’t sure who is marking them. Todd Mace will have to do them. It will take a little bit of time to get their feet wet as to what needs to go to the Municipal Authority and what comes to the Borough. They will be attending the Municipal Authority meeting also. He did give an invoice for January. The invoice will come out the first couple of days of the month. Secretary Bowers informed Todd Mace they have to have their invoice in by the Monday before the Borough Council Meeting. Todd asked if he was to attend any meetings. Cl’m Halstead commented they did not have anyone come to the meetings unless there was an issue. Todd Mace met with Pat Bowen today. President Robinson reported we talked to Todd earlier because this was short notice and he felt it was very short notice till the meeting tonight to come up with a contract. He suggested over this next month that he would work on time and materials and give him an opportunity to truly get his feet wet and see what he needs as far as a contract goes. Cl’m Roush moved, seconded by Cl’m McNaughton to retain PESI (Todd Mace) on an interim basis on time and materials until we get a contract; review it and sign it. Motion carried unanimously. Cl’m Halstead moved, seconded by Cl’m McNaughton to pay the invoice from PESI in the amount of \$1,062.75 for January services. Motion carried unanimously.

**APPROVAL OF MINUTES** – Cl’m Prescott moved, seconded by Cl’m Roush to approve the January 6, 2015 Regular Meeting Minutes as drafted. Motion carried unanimously.

**FINANCIAL REPORT** – Newport General Fund Account February 1, 2015 was \$25,127.93. January interest of \$4.45. Deposits of \$8,163.18. Outstanding bills presented for payment of \$6,251.29. Estimated income for the balance of February of \$20,788.43. Estimated expense for the balance of February of \$21,723.00 will leave an estimated balance February 28, 2015 of \$26,109.70. Liquid Fuels Account balance February 1, 2015 was \$26,250.19. January interest of \$2.41. Outstanding bills presented for payment of \$100.01. Truck payment to Juniata Valley Bank of \$1,235.78 will leave a balance of \$24,916.81. Sewer Revenue Account balance February 1, 2015 was \$14,379.26. January interest of \$13.14. Outstanding bills presented for payment of \$9,926.91 will leave a balance of \$4,465.49. This balance does not include the PESI payment of \$1,062.75. Cl'm McNaughton moved, seconded by Cl'm Roush to accept the Financial Report as presented. Motion carried unanimously.

**APPROVAL OF BILLS** – Cl'm Halstead moved, seconded by Cl'm McNaughton to pay the outstanding bills in the amount of \$6,251.29 from the General Fund Account, pay the outstanding bills in the amount of \$100.01 from the Liquid Fuels account and pay the outstanding bills in the amount of \$9,926.91 from the Sewer Revenue Account. Motion carried unanimously.

**PIB RESOLUTION** – Cl'm Roush moved, seconded by Cl'm Prescott to adopt a Resolution authorizing Newport Borough to enter into a loan agreement with the Pennsylvania Infrastructure Bank and to authorize the President of Borough Council to sign the loan agreement on behalf of the Borough and that the Secretary is authorized and directed to attest the same. Motion carried unanimously.

**EMC AUDIT FOR 2014 PAYROLL** – The Borough received an invoice from EMC for additional premium owed based upon the 2014 payroll audit. The Borough appealed the invoice because part of the additional premium was from what was paid to the police for settlement. They were not wages that were earned. Secretary Bowers talked with Cupp's and EMC is going to revise the invoice removing the additional premium for the police payroll amount. It should drop the additional premium amount down by \$2,300.00 or more.

**BID ADVERTISEMENT INVOICE FOR PARK PROJECT** – Cl'm Halstead moved, seconded by Cl'm Frownfelter to pay the outstanding invoices in the amounts of \$524.80 from The Patriot News and pay the outstanding invoice in the amount of \$279.04 from The Sentinel for advertising from the Newport Veterans Memorial Park Project Fund. Motion carried unanimously.

**FOG ORDINANCE** – Per the Nine Minimum Control Plan the Borough is to have an ordinance in place dealing with fats, oils and grease. Secretary Bowers is gathering information for the ordinance.

**PLANNING COMMISSION VACANCY** – No other letters of interest received.

**ZONING HEARING BOARD VACANCY** – The Borough Council received a letter from Paddi Sharar to be reappointed to the Zoning Hearing Board for another term. Cl'm Prescott moved, seconded by Cl'm McNaughton to reappoint Paddi Sharar to the Zoning Hearing Board for another (3) year term. Motion carried unanimously.

**POLICY FOR RECORDINGS OF MINUTES** – Cl'm Frownfelter moved, seconded by Cl'm Prescott to have a policy to keep recordings of the meetings for (6) months and then erase them. Motion carried unanimously.

**FEE SCHEDULE FOR BOROUGH EQUIPMENT & PERSONNEL** - Cl'm Prescott moved, seconded by Cl'm Halstead to adopt the fee schedule established by the Borough Council for Borough Equipment and Personnel. Motion carried unanimously.

**OLD CELL PHONE DISPOSAL (DONATE TO TROOPS)** – Cl'm Frownfelter moved, seconded by Cl'm Roush to donate the Borough's old cell phones to the designated facility for US Troops use. Motion carried unanimously.

**REQUEST FOR ISO RE-EVALUATION OF BOROUGH FOR FIRE SERVICE** – President Robinson explained the ISO Evaluation that was done approximately (5) five years ago. This evaluation rates each municipality on its fire protection. It uses the Fire Department, the Water and the 911 Center to evaluate your fire protection. The last time we were done we got a Class 6 rating. The classes run (1) thru (9). (1) being the best and (9) being the worse. The Fire makes up 50% of our score, the Water 40% and the 911 Center 10%. He was disappointed that we didn't score better. He looked at the last evaluation and there is room for dramatic improvement; especially with the Fire Company. The forms need to be looked at closely and filled out completely. Only the municipality can ask for an evaluation. We now have Fourth Street completed with new piping etc, could make some difference. It is a lot of work to complete but would be well worth it for our residents. Cl'm Roush moved, seconded by Cl'm McNaughton to request from ISO a re-evaluation of our fire protection. Motion carried unanimously.

**MAYOR'S REPORT** – Mayor Hetrick received an application for a handicap permit parking space from Alicia Cervantes of 45 South 4<sup>th</sup> Street, Newport. It would be used for her (4) month old infant that requires a lot of equipment for his care and the extremely complex care that this infant will require; she request this permit. Mayor Hetrick recommended approval of this permit. Cl'm Prescott moved, seconded by Cl'm Halstead to approve the Permit Parking application for 45 South 4<sup>th</sup> Street. Motion carried unanimously.

- Mayor Hetrick spoke with the new Regional Director for our area of the Red Cross. Got all the updated info from her in case we had a need to contact them.

**COMMITTEES** – President Robinson reported he will be redoing the Committees. Will be taking Cl'm Halstead and Cl'm Prescott off of all Committees. He will be removing Cl'm Halstead from Perry County Cog, Capital Tax Bureau and PCBA as our representative. He will be asking some of the other Council Members to do double duty. He will be working on reducing Borough Council from a (7) member Council to a (5) member Council. Doesn't see a need to have (7); probably won't get done this year but will research to see what needs to be done.

**RESIGNATIONS** – Cl'm Roush moved, seconded by Cl'm McNaughton to accept the resignations of Dennis Wilson and Darrel Binkley as operators for the Newport Borough Sewer Plant effective January 30, 2015. Motion carried unanimously.

**STREETS** – Cody talked to Cl'm McNaughton about possibly insulating the garage. It is brutal when you are trying to work on equipment in the garage; there is no heat whatsoever. Cl'm McNaughton will be doing some research to find out what it would cost.

**COMMUNICATIONS** – List attached to minutes.

- One of the communications from HRG in regards to the Act 14 Notification for Howe Township; President Robinson commented Howe Township is not sure where they will be coming across with their sewer line. HRG would like to do a joint project with the Water Authority. They have a couple of locations they are looking at. The ideal spot would be Dock and Front Streets. The Water Authority will be communicating with Howe Township through the engineer, Josh Fox with that project.

**COMMENTS AROUND THE TABLE - Cl'm Halstead** commented this council did not appoint her to the State Association Board of Trustees; she was appointed there by the Perry County borough's Association. She was appointed by the Perry County Borough's Association as their Secretary/Treasurer. She was also appointed by the Council of Governments as their Secretary/Treasurer. She can still remain in those positions because she was voted on by the Boroughs and the Townships. If you want to remove her as not having the vote; that's fine but any member who is a member of a Borough may attend these things; those positions that she holds you cannot remove her from. She will still maintain those positions in the state and the county. The Tax Bureau is fine; just make sure Cl'm McNaughton shows up; it is very important. The Borough's Association and the Council of Governments; make sure Penny (Cl'm Frownfelter) shows up

for the meetings. They take roll call and it is going to be published who doesn't show up. They need a quorum; they have emphasized that. You may remove her, President Robinson off that but she still may attend and she is appointed to those positions; furthermore these positions that you (the Board) appointed her to are (2) year positions and she will talk to the State Ethics Commission about what your (President Robinson) is doing to Jim and her . Furthermore as far as the lawsuit is concerned, Luke you can file a Right to Know request and get all the information on the lawsuit because the Right to Know request will nullify what the agreement says about confidentiality. You may request that from the Borough and that is from our legal counsel; Mayers, Mennies and Sherr. Also she keeps the paper with her that says the judge has stricken all the judgements against the lawsuit and they have no legal value and everything has been stricken from the record. We are clear and free of all. She is pretty sick of this Council trying to hold something over her head that she has been acquitted of; she wants that put in the newspaper that we are tired of being bullied and she will check with the Ethics Commission about these matters. President Robinson commented well that is just fine; there are a couple of us who are pretty sick of paying the cost of being involved with this fiasco. Cl'm Halstead commented, that was your decision; it didn't have to be paid; it could have been appealed. Cl'm Prescott and Cl'm Halstead voted to appeal. President Robinson commented it wasn't our decision. Obviously there is quite difference between our thinking.

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

Respectfully Submitted,  
Patricia Bowers  
Secretary/Treasurer