

Newport Borough Council
September 5, 2017 – Regular Meeting
Newport, Pennsylvania

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

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

GUESTS – Gwyn Smith, Kayla Nailor, Luke Roman, Jacob Zentichko, Nympha Miller, Tom Fitzpatrick, Tim Czekaj, Esquire

PUBLIC COMMENT – Nympha Miller, a Newport resident for over 50 years, spoke about a sidewalk issue on S. Third Street. She noted that she gave correspondence to all Council members on August 14, 2017 and again on August 29, 2017 concerning this matter. Ms. Miller referenced Borough Ordinance No. 348 – Chapter 215, Article III. Ms. Miller stated to date there has been no enforcement of this ordinance as it relates to the property located next to her home on S. Third Street. The property in question had burned on January 10, 2017. No sidewalk has been in place since March 2017. President Robinson stated that the owner, Mr. Ralph (Bubb) Lesh, has laid stone in preparation for a new sidewalk. President Robinson stated Mr. Lesh has requested permission to let the stone settle for awhile before having the concrete sidewalk poured to avoid having it crack later. There has been a significant amount of rain this year and it would be best if the stone had time to settle. There was a brief discussion over sidewalk surface materials. Ms. Miller's concern was that the stone sidewalk material would be left as it is, or another surface material would be used other than concrete. Ms. Miller said that explanation was acceptable to her; however, she asked Council to advise her when the owner is ready to move forward with the concrete work. President Robinson acknowledged Ms. Miller's request.

APPROVAL OF MINUTES – Cl'm Frownfelter stated she reviewed the draft meeting minutes of July 18, 2017 that were distributed and her recollection of the hiring salary for the new secretary/treasurer was \$19.75/hr. not \$19.00/hr. President Robinson stated that was his recollection as well. There was a brief discussion on the news article published in *The News-Sun* which also reported the starting wage as \$19.75/hr for the new borough secretary. Cl'm Frownfelter also requested another correction to the section of the July 18, 2017 minutes that reads "Cl'm Frownfelter agreed the current vacation policy needs to be updated. Our policy is not competitive enough. We need to forgo the current policy in order to have this person." Cl'm Frownfelter asked that be stricken from the records as she did not make those statements. Cl'm Halstead said, "That is what was on the recording." Cl'm Frownfelter replied, "Not in those words it wasn't." Cl'm Halstead moved, seconded by Cl'm Frownfelter to table the approval of the July 18, 2017 minutes until the tape recording is reviewed. The motion carried unanimously.

FINANCIAL REPORT – Newport General Fund Account balance September 1, 2017 was \$210,243.25. Outstanding bills presented for payment of \$8,125.93. Estimated income for the balance of September of \$20,539.18. Estimated expenses for the balance of September of \$24,743.67 will leave an estimated balance September 30, 2017 of \$197,912.93. Liquid Fuels balance September 1, 2017 was \$88,089.93. Outstanding bills presented for payment in the amount of \$3,015.73 will leave a balance of \$85,074.20 in the Liquid Fuels Account. Cl'm McNaughton moved, seconded by Cl'm Delancey to accept the Financial report as presented. Motion carried unanimously.

APPROVAL OF BILLS – It was noted the Planning Commission's meeting advertisement was ratified. The ad expense was \$16.93. Cl'm Frownfelter moved, seconded by Cl'm Roush to pay the outstanding bills in the amount of \$8,125.93 from the General Fund Account and pay the outstanding bills in the amount of \$3,015.73 from the Liquid Fuels Account. Motion carried unanimously.

OLD BUSINESS –

COMCAST FRANCHISE AGREEMENT - President Robinson stated the Comcast Franchise Agreement is before the Council for consideration. It is a 10-year contract. He made a recommendation to the Council to renew the Comcast Franchise

Agreement for another 10 years. Cl'm Halstead questioned whether it stated in the contract that it was a 10-year contract. Mayor Hetrick stated page three of the contract states it is for a 10-year period. Cl'm McNaughton moved, seconded by Cl'm Beatty to approve the Comcast Franchise Agreement. Cl'm Halstead pointed out this is a negotiable contract if Council wanted to negotiate any changes within the contract.

CARGILL - President Robinson reported Cargill sent a request pertaining to the COSTAR Salt Supply Order for 2016/2017 which has 43 tons remaining. The Borough is requesting 23 of the 43 tons to be released now. Cl'm McNaughton moved, seconded by Cl'm Frownfelter to approve the release of 23 tons of COSTAR Salt Supply Order for 2016/2017. Motion carried unanimously.

Attorney Tim Czekaj stated he was in attendance to represent his client, Connie Frownfelter, concerning a sewer separation issue. Ms. Frownfelter's property is being sold and the Borough has an ordinance that requires a separate sewer connection for the property which is a duplex. There was some discussion on where the responsibility lies for the cost to complete the work for the sewer connection. Attorney Czekaj stated he has reviewed the ordinance and is not disputing the homeowner is responsible from the house to the curb. The issue is where the new lateral is going to be installed either through the street or the sidewalk. Beyond the curb it becomes the Sewer Authority's responsibility. If the lines connect under the sidewalk, then the property owner would be responsible for the cost. Attorney Czekaj stated from a legal standpoint the matter is crystal clear in the language of the ordinance. Cl'm Halstead noted the Sewer Authority provides the laterals to the main. Cl'm Frownfelter explained it is the Sewer Authority's decision to make. Cl'm Frownfelter moved, seconded by Cl'm Halstead to hold off any fines imposed to Connie Frownfelter until October 15, 2017. In the interim, before a decision can be made, Borough Council will further review compliance to the ordinance, and the Sewer Authority will review the matter at its next meeting on September 13, 2017, 6:00 P.M. Motion carried unanimously.

NEW BUSINESS -

RESOLUTION FOR NEW SECRETARY - Cl'm Halstead moved, seconded by Cl'm McNaughton to approve adding Heather Ilgenfritz, the Borough's new Secretary/Treasurer, to the Borough's bank accounts and to remove Patricia Bowers as **Resolution #03-17** states. Motion carried unanimously.

RESOLUTION FOR CANAL DAY BANNER 2017 - Cl'm Frownfelter moved, seconded by Cl'm McNaughton to approve **Resolution #04-17** for the 2017 Canal Day Banner. Canal Day will be held on October 7, 2017 from 9:00 A.M. - 2:00 P.M. Motion carried unanimously.

2018 BUDGET WORKSHEETS - President Robinson distributed the 2018 Budget Worksheets and noted that he would be working with Secretaries Pat Bowers and Heather Ilgenfritz to complete a review of the incoming revenue. He asked Council members who work on a committee to begin reviewing budgets and prepare their proposed budget requests for 2018.

APPROVAL TO PURCHASE BALLAST FOR STREET LIGHTS - President Robinson stated the Borough had previously ordered two and those have been used. The street crew is requesting to order two more. There was discussion on exploring the option of changing the lights over to LED which may be far cheaper than the current ballast and halogen lights that are now in place. Cl'm Frownfelter stated she wants to be sure the Borough selects the right option for the street lights because the Borough spent a lot of money on the streetscape, and it should not change light bulbs for the sake of saving money. She further clarified that she is not opposed to saving money, but the bulbs should be the right ones for the particular type of street lighting that was purchased as part of the Borough's streetscape project. President Robinson said the Borough should follow-up with the manufacture of the lights to get some feedback and then maybe do one or two lights at a time before making a decision to replace all twenty-six.

Cl'm McNaughton moved, seconded by Cl'm Halstead to purchase two ballasts for the street lights. Motion unanimously carried.

REFUND OF REAL ESTATE TAXES – PARCEL 190,046.03-001.000 & 002.000 – President Robinson stated this was a mistake made in the sizing of the parcel and it has gone through the Perry County Tax Assessment Office and their recommendation is to refund \$132.42 to the property owner. Cl'm Halstead moved, seconded by Cl'm Frownfelter to approve the refund of Real Estate Taxes in the amount of \$132.42. Motion unanimously carried.

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION – 2017/2018 WINTER MUNICIPAL SNOW REMOVAL – RENEWAL AGREEMENT – Cl'm Halstead moved, seconded by Cl'm McNaughton to renew the Penn DOT agreement for plowing/snow removal of Borough streets in the amount of \$2,583.22. Motion unanimously carried.

SUBMISSION OF 2018 PMRS PENSION MIMIMUM MUNICIPAL OBLIGATION (MMO'S) FOR NEWPORT BOROUGH PENSION PLAN – Cl'm Halstead moved, seconded by Cl'm Frownfelter to approve the 2018 minimum municipal obligation for the non-uniformed in the amount of \$18,474.00 and also for the uniformed in the amount of zero dollars. Motion unanimously carried.

HALLOWEEN PARADE – Cl'm Frownfelter moved, seconded by Cl'm Halstead to approve the Halloween parade on October 25, 2017 at 7:00 P.M. with a rain date of October 26, 2017 at 7:00 P.M. Motion unanimously carried.

TRICK OR TREAT NIGHT- Cl'm Frownfelter moved, seconded by Cl'm Halstead to approve Trick or Treat Night to be held on October 31, 2017 from 6:00 P.M. - 8:00 P.M. Motion unanimously carried.

APPOINTMENTS TO THE FLOOD TASK FORCE – Cl'm Halstead moved, seconded by Cl'm McNaughton to appoint Penny Frownfelter, Gwyn Smith, Tom Belmont, Darin Lesh and Jan Gibboney as additional members to the existing Flood Task Force. Cl'm Halstead explained these appointments follow the recommendation of the SEDA COG for additional members in the areas of banking, real estate, and insurance. Motion carried with Cl'm Frownfelter abstaining from the vote.

RIGHT-TO-KNOW-OFFICER – Cl'm Frownfelter moved, seconded by Cl'm Halstead to appoint the Borough's new Secretary, Heather Ilgenfritz, as the Right-to-Know Officer. Motion unanimously carried.

DISCUSSION OF SEWER SEPARATION ON BOROUGH STREETS – President Robinson noted this agenda item was already covered under public comment in the discussion with Attorney Tim Czekaj.

NEWPORT MILLWORKS UPDATE – Gwyn Smith, Planning Commission Chairman stated they would come back before Borough Council after the Planning Commission meets again on September 20, 2017. Council could then deliberate the project at its next Council meeting on October 3, 2017 which would meet the project deadline of mid-October. The Planning Commission has met twice on this matter and has received input from the community on Facebook and from those who attended public meetings. They have also spoken with the Literacy Council which has provided additional information on what their plan would be in working with the residents of Millworks. The Perry County Commissioners have given a letter of support for the project. Ms. Smith stated she spoke with Commissioner Brenda Benner and she indicated that she was unaware this was a low-income project. The Planning Commission has put a lot of information together, including demographics, with the number of rental properties, how much this project would add, and what the impact of this project would be to the community. Rentals are estimated at 60% with about 68 currently vacant. There are approximately 400-415 rental properties in town. The past two Planning

Commission meetings have consisted of gathering information, however, the Commission will review the project together more in-depth at the upcoming meeting on September 20th.

CITIZEN INQUIRY RE PERMIT FOR FOOD TRUCK AT FUNDRAISER EVENT – President Robinson explained an inquiry was received from Kevin Morrison who owns a food truck and plans to participate in a fundraiser on September 17, 2017 from noon-7 P.M. at the Weis Store parking lot. The fundraiser is to help Austin Kent, a resident of Newport, who was the victim of a shooting. Mr. Morrison was inquiring whether he needed a permit to operate for this particular event. There was a brief discussion about permits and ordinances and it was pointed out that this was a private fundraiser being held on the Weis Store property and not the Borough’s streets. Cl’m Halstead moved, seconded by Cl’m Roush to waive any permit fees for this charitable event, if in fact a fee may exist without researching the ordinances. Motion unanimously carried.

TRI-COUNTY REGIONAL PLANNING COMMISSION REPRESENTATIVE NOMINATIONS – Cl’m Halstead moved, seconded by Cl’m McNaughton to nominate Frank Campbell for reappointment as the Perry Northeast Regional Planning Area Representative for the 2018-2019 TCRPC Board term.

DISSINGER & DISSINGER NOTICE OF ORDER OF COURT – President Robinson announced that Borough Council received correspondence from the Borough’s Solicitor, Dissinger & Dissinger, with notice of the Court Hearing on September 29, 2017 at 11:30 am, Courtroom #1 of the Perry County Courthouse, for the Petition to reduce the number of councilmen.

MAYOR’S REPORT – Mayor Hetrick reported she has been working with the Codes Enforcement Officer to update the Borough’s record of rental properties with current property owner and tenant information. She has also received numerous calls for dumpsters as property owners are cleaning up dwellings.

Mayor Hetrick also reported she represented the Borough at the grand opening of the Fine Wine and Good Spirits store on August 31, 2017 at 2:00 P.M.

STREETS - Cody Harris submitted a Streets Report indicating the crew has replaced bulbs in some of the street lights, but two of those needed new ballasts. Fortunately, there were two ballasts still in the Borough’s inventory, but more are needed. The Streets crew is requesting another order for street lighting ballasts, preferably two again. The square was swept again last week, and also painted. There are a few more alleys to sweep downtown, but otherwise sweeping is winding down and will continue as weather permits. Leaf pick up will begin on September 6, 2017. Brush will run through November, with the last pick up on November 20, 2017. The Borough Secretary will place a salt supply order, as there is a surplus leftover from last year’s contract. The banners will be switched tomorrow so the fall leaves and Canal Day banners go up. Everything is going smooth as we transition to fall. Nothing anticipated to really change until the weather gets colder. Until then, the Streets crew will be patching, mowing, and other activities as weather permits.

There being no further business to come before Borough Council, Cl’m McNaughton moved, seconded by Cl’m Halstead, to adjourn the meeting at 8:13 P.M. Motion carried unanimously.

Respectfully Submitted,
Heather Ilgenfritz
Secretary