

Newport Borough Council
August 6, 2019 – 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 – Secretary/Treasurer Heather Ilgenfritz. Mayor Hetrick was absent.

GUESTS – Luke Roman, The News Sun.

Connie Frownfelter, Gantt Street resident, was not in attendance to discuss her request regarding parking and posting Gantt as a one-way street. Ms. Frownfelter called prior to the meeting to say that she would not be attending, and she was trying to reach the Newport School District's Superintendent regarding the school's request prior to coming to the Borough Council.

PUBLIC COMMENT – None

APPROVAL OF MINUTES – Cl'm Halstead moved, seconded by Cl'm Leach to approve the meeting minutes of July 2, 2019 as drafted. Motion unanimously carried.

FINANCIAL REPORT – Newport General Fund Account balance August 6, 2019 was \$198,536.66. Outstanding bills presented for payment of \$13,963.85. Estimated income for the balance of August of \$10,082.70. Estimated expenses for the balance of August of \$28,250.06 will leave an estimated balance August 31, 2019 of \$166,405.45. Liquid Fuels Account balance August 1, 2019 was \$124,570.79. Outstanding bills presented for payment of \$1,626.10 leaves a remaining balance of \$122,944.69 in the Liquid Fuels Account. Cl'm McNaughton moved, seconded by Cl'm Beatty to accept the Financial Report as presented. Motion carried unanimously.

APPROVE BILLS TO DATE – Cl'm Halstead asked if the engineering fees for the Fifth Street Reconstruction Project were being paid from the PIB funds. She stated that all the expenses for the Fifth Street Reconstruction Loan were to come out of the PIB fund. Secretary Ilgenfritz stated that was not how the expenses for the previous phase of 5th Street were paid; the engineer fees came out of the General Fund. Ilgenfritz questioned why there would be a line item in the General Fund Budget for the Fifth Street Reconstruction project if the expenses were not to be paid from the General Fund. There was a brief discussion and the consensus of the Council was to have the Borough Secretary void the check to Barton & Loguidice in the amount of \$4,018.94 issued out of the General Fund and re-issue for payment from the PIB fund. Cl'm Halstead further stated that a review needed to be done to reimburse the General Fund for any engineering expenses that should have been paid with PIB monies. She stated the Secretary will have to transfer the funds from the PIB to reimburse the General Fund for engineering expenses paid in 2018. Cl'm Halstead moved, seconded by Cl'm McNaughton to approve the bills as presented, except for the Barton & Loguidice invoice. Motion unanimously carried.

OLD BUSINESS

NEWPORT SCHOOL DISTRICT'S REQUEST FOR ONE WAY STREETS - CAROLINE STREET FROM 5TH TO 6TH STREET & LOCUST STREET FROM CAROLINE TO OLIVER STREET – Cl'm Beatty stated that he and Council President Robinson met with the school officials regarding their request. The Borough's Streets employees took some measurements and determined it would not be feasible because there is not enough width with the diagonal parking to leave room for the school buses, snowplows, and emergency vehicles. There was a brief discussion of some other options. No one from the School District was in attendance and Council had hoped to have a drawing submitted. Cl'm Beatty said the School District had offered to pay for half of the costs for the signage to posts the streets as one-way. Cl'm Halstead stated it also requires an ordinance change and advertising would have to be done which would be a two-month process. Cl'm Halstead stated she believes Gantt Street will get jammed if the flow of traffic is restricted to one-way. She also noted the Assembly of God Church has a daycare center which will be impacted by the traffic in that area. Halstead stated that the school needs to employ some extra staff to do traffic/safety patrol. It was noted that the school did not submit a formal drawing for Council's consideration as requested. Again, Cl'm Halstead said she believes what is being proposed

would create more traffic problems and potentially double the flow of traffic down Gantt Street. Council President Robinson suggested tabling this matter until the Borough has received a formal proposal from the School District. Cl'm McNaughton added that this matter is also a zoning problem and possibly may need to be reviewed by the Zoning Board. No action was taken.

NOTICE OF DECLARATION OF PUBLIC NUISANCE – DAMAGED STRUCTURE – 640 OLIVER STREET – CHAPTER 92 OF THE BOROUGH CODE, §92-1 TO §92-8 – Council President Robinson stated the property owner is making slow progress. The second floor of the home has been removed. The demolition permit was obtained through Building Inspection Underwriters (BIU). The dumpster on the property has been emptied at least twice and Robinson estimated there are possibly another two loads. He said this is moving in the right direction and he did not feel that Council needed to take any further action at this time. Cl'm Halstead moved, seconded by Cl'm McNaughton to give an extension of another thirty days, noting the deadline of the original 60 days would be up prior to the next meeting. Motion unanimously carried.

5TH STREET RECONSTRUCTION – PHASE FROM OLIVER STREET TO WALNUT STREET – Council President Robinson stated the approval of the project was done at last month's meeting; however, he did sign the agreement and the Borough's engineer issued the Notice to Proceed on July 26, 2019. The substantial completion date for the project is October 23, 2019 and final payment will be due November 12, 2019 – 110 days. The potential start date of the project is August 19, 2019. There will be a pre-construction meeting scheduled soon. Robinson stated that he has requested the same work crew from G&R Charles Excavating that completed the prior phase. Robinson stated the Borough will need to approve an inspector for the project and he asked the Council what they wished to do, as it typically costs between \$70.00-\$75.00 per hour to hire an inspector. Cl'm Halstead asked if the Borough knows what specifically needs inspected. She reminded Council that the inspector has to verify the materials and quantities used and that should be submitted to the Borough. Cl'm Leach suggested having it in writing this time so Council President Robinson knows what is expected and he can submit a report to Council. Cl'm Leach said Robinson knows the streets and can do a good job of inspecting. Cl'm McNaughton moved, seconded by Cl'm Beatty to pay Gerald Robinson \$15.00 per hour for the inspection with submission of a report on materials used, quantities, and depth – verifying the specifications provided by the contractor. Motion passed 6-0. Council President Robinson abstained.

RESPONSE TO PENNDOT REGARDING NOTICE OF PROPOSED REPAVING OF SR 34 / MARKET STREET – Council President Robinson reported that he submitted the Borough's response and had obtained input from Steve Flickinger, Fire Chief.

UPDATE ON USDA LOAN APPLICATION FOR PURCHASE OF SKID LOADER – Cl'm Halstead stated she has been working with Pat Bowers on this, but it's been difficult with schedules. However, she did remind Council that information was pending Sam.gov response.

NEWPORT BOROUGH MUNICIPAL AUTHORITY'S REQUEST FOR RESPONSE FROM BOROUGH REGARDING DISCONNECT OF STORMWATER CONNECTION FROM THE SANITARY SEWER MAIN IN MARSH STREET & STORM DRAIN IMPROVEMENTS – Council President Robinson recommended hiring Harry Fahnstock to work on the two inlets – by the auto parts store and the Borough's shed. Cl'm Halstead stated three quotes would need to be obtained, so Council could have Harry submit a quote plus two additional quotes. She said it needs to be a fully completed job with blacktop not just stones placed where the work was done. Secretary Ilgenfritz reminded council of the bid threshold of \$20,600. Halstead said under the threshold could be a phone or email quote – within \$11,100-\$20,600 range. Specifications will need to be developed. Cl'm Halstead requested Council President Robinson write the specifications and give it to the Borough Secretary. Robinson replied that he will consult with the Borough's engineer. Cl'm Halstead moved, seconded by Cl'm Beatty to obtain some specifications with help from the Borough's engineer, and then determine whether three quotes are needed or bid process. Motion unanimously carried.

CLEANING OF STORM DRAINS – Cl'm McNaughton noted the Streets Department reported on this in their report. Cody Harris has indicated they have cleaned many of the storm drains. Cl'm McNaughton stated he thinks there have been enough expenses this year; however, he will call to obtain pricing for the vacuuming of the inlets to perhaps add to the budget for next year.

UPDATE ON LED STREET LIGHTING – Council President Robinson reported this has not been done. The Streets Department will need to rent the scissors lift. Cl'm Halstead asked why when the streetlights are out can't it be part of the Streets Department's normal routine to change out the bulbs. Cl'm McNaughton reminded everyone the ballasts will go away with the new bulbs, but those will have to be removed. The electrician needs to show the Borough's Street employees how to do that, and they will need to rent a scissors lift. It is \$100.00 each time the lift is rented. Cl'm McNaughton stated once Robinson has the bulbs, he will instruct the Borough's Street employees to get the lift and put in the new bulbs. The two locations for the sample bulbs are Third and Market Streets and in front of PNC Bank.

TRIMMING TREES ON SECTIONS OF PINE STREET PRIOR TO PAVING – Cl'm Beatty reported that the property owners have complied with the Borough's request to trim their trees prior to the paving.

UPDATE ON REQUEST FOR TRAFFIC MIRRORS AT TWO INTERSECTIONS – CORNER OF WALNUT & FOURTH AND CORNER OF FICKES & FOURTH – Council President Robinson stated he has not yet spoken with anyone from PennDOT yet on this matter – nothing yet to report.

FUNDING FOR STORM WATER PLAN & IMPROVEMENTS – Council President Robinson spoke about funding through PennVest. He stated PennVest will fund improvements through a loan with a grant to pay towards the loan if municipalities are making storm water improvements. Robinson stated that he estimates \$17,000.00 in expense on Dock Street from Fourth Street to Peach Alley.

NEW BUSINESS

AMEND MOTION OF JULY 2, 2019 FOR THE 5TH STREET RECONSTRUCTION BID AWARD – OLIVER STREET TO WALNUT STREET – Cl'm Halstead moved, seconded by Cl'm McNaughton to amend the prior bid award to G&R Charles Excavating to also include the contingency funds of \$2,665.00. Motion unanimously carried.

APPROVAL OF BANNER RESOLUTION NO. 05-19 DESIGNATING THE BOROUGH'S INTENT TO ERECT A BANNER ACROSS MARKET STREET (SR 34) FOR THE 100TH YEAR AMERICAN LEGION EXTRAVAGANZA CELEBRATING VETERANS SERVING VETERANS SEPTEMBER 7-8, 2019 – PERRY COUNTY FAIRGROUNDS – Cl'm Beatty moved, seconded by Cl'm Halstead to approve Banner Resolution No. 05-19 for the American Legion Extravaganza. Motion unanimously carried.

RATIFY PAYMENT TO BARTON & LOGUIDICE – CHECK NO. 30400 - \$4,018.94 – 1ST PAYMENT OF ENGINEER FEES IN THE AMOUNT OF \$20,295 FOR 5TH STREET RECONSTRUCTION – PHASE OLIVER TO WALNUT – Cl'm Halstead moved, seconded by Cl'm Beatty to ratify the payment made to Barton & Loguidice in the amount of \$4,018.94, and to transfer the funds out of the PIB fund to the General Fund. Motion unanimously carried.

2018 LIQUID FUELS AUDITS – Council acknowledged receipt of correspondence from PennDOT dated July 22, 2019 confirming the Borough is in compliance with Liquid Fuels Tax Fund Rules & Regulations; and, email dated August 2, 2019 from the PA Department of Auditor General for examination of the Liquid Fuels Tax Fund – Jan. 1, 2018-Dec. 31, 2018. The audit will be held on August 9, 2019 at 9:00 AM.

RENEWAL OF THE WINTER PROGRAM AGREEMENT #3900037165 WITH PENN DOT FOR PARTICIPATION EFFECTIVE 2019-2023 – Cl'm McNaughton moved, seconded by Cl'm Halstead to approve the 5-year Agreement with the Pennsylvania Department of Transportation for participation in the Winter Maintenance Program. Motion unanimously carried.

APPROVAL OF PSAB FALL LEADERSHIP CONFERENCE EXPENSE FOR COUNCILWOMAN TAMI HALSTEAD - \$398.69 TOTAL (OCT. 11-13, 2019 / \$200.00 REGISTRATION FEE / \$198.69 LODGING) – Cl'm Beatty moved, seconded by Cl'm Leach to approve the PSAB Fall Leadership Conference expense for Councilwoman Tami Halstead in the amount of \$398.69. Motion passed 6-0. Cl'm Halstead abstained.

DISCUSSION ON FINAL DRAFT OF THE PERRY COUNTY HAZARD MITIGATION PLAN CURRENTLY UNDER REVIEW / PUBLIC COMMENT PERIOD – Cl'm Halstead reminded the Council the plan will need to be adopted by Resolution probably in September or October once the comment period is over. She suggested the Council go ahead and prepare a resolution noting that Jason Finnerty will send a sample resolution for review.

INSURANCE RENEWALS – There was a brief discussion regarding in insurance renewals. Cl'm Beatty stated that he had forgotten about Cupp's request regarding proof of repairs to wall from the water damage to the second floor of the Borough Office. He stated that he would call Scott Maxwell to have it repaired if that's what the Council wished to do, or possibly he could put some spackling on the wall. Council President Robinson said that he would handle the matter. Cl'm Beatty reminded him this needed to be done per the underwriter for the November 1st renewal date of the Borough's Policy.

The Borough Secretary will be compiling the rate information for the health insurance renewal. It was noted the rate information for 2020 for dental coverage from United Concordia was received and there does not appear to be an increase. The Capital Blue rates should come out sometime in October.

REPORT OF BID OPENING – Cl' President Robinson reported on the Bid Opening held on July 8, 2019 at 2:00 PM for the 2019 Paving Projects – to be paid from the Borough's Liquid Fuels fund. This paving project is for Pine Street – sections from Mulberry to Market; Caroline to Gantt; and Gantt to Fickes; and, also Locust Street from Oliver to Caroline. Robinson stated the low bidder was Henderson Contracting Company, LLC a company out of Ohio; however, they made an error when completing the information on PennBid. Robinson stated he received an email from Mr. Henderson regarding the error and Henderson significantly increased the price he originally quoted. Robinson spoke with the Borough's engineer regarding the matter. The second low bidder was New Enterprise Stone & Lime Company. Cl'm Halstead moved, seconded by Cl'm Beatty to award the 2019 Paving Projects – Liquid Fuels to New Enterprise Stone & Lime Company for \$58,758.50 contingent upon approval by the Pennsylvania Department of Transportation. Motion unanimously carried.

BOROUGH CODE / ZONING DISCUSSION - SIGN PERMIT – 38 N. SECOND ST. – Council President Robinson stated the Borough received a sign permit application for the Newport CBD American Shaman store. There was a brief discussion regarding the product and the signage. Cl'm Halstead will review to see if it complies with the Borough's ordinance, and then it may need to be referred to the Zoning Board. Cl'm McNaughton suggested researching it and then forward the information to the Borough's Solicitor for legal review. No action was taken.

BUDGET WORKSHEETS – 2020 PROPOSED BUDGET – The Borough Secretary will print the budget worksheets and place them in Council's mailboxes.

REPORT OF EXECUTIVE SESSION REGARDING PERSONNEL – Cl'm Halstead moved, seconded by Cl'm Leach to go into Executive Session at 8:15 PM regarding personnel matters. Cl'm McNaughton moved, seconded by Cl'm Halstead to come out of Executive Session at 8:42 PM. Council President Robinson stated that regretfully he was announcing that Heather Ilgenfritz, Borough Secretary was leaving. Cl'm Halstead moved, seconded by Cl'm McNaughton to accept the resignation of Heather Ilgenfritz effective August 14, 2019. August 14th will be her last day. Cl'm McNaughton moved, seconded by Cl'm Beatty to hire Harry Nazzaro, upon signing the conditions of employment by Council, for the Code/Zoning Enforcement Officer position at a starting salary of \$13.00 per hour with a 90-day probationary period. If accepted, Mr. Nazzaro will be moved to \$15.00 per hour after the 90 days, with a start date of August 12, 2019. Motion passed 6-1 with Councilman Richard Delancey voting no. Cl'm McNaughton moved, seconded by Cl'm Leach to have

Tami Halstead appointed as the temporary Assistant Secretary for \$15.00 per hour until the Council appoints a new Secretary. Motion passed 6-0. Cl'm Halstead abstained.

Cl'm Halstead moved, seconded by Cl'm Leach to authorize advertising for a full-time secretary, to use the prior ad, and advertise online as well as The Patriot News – Sunday edition twice; and, The News Sun – three times, starting on August 13th. Motion unanimously carried.

OTHER BUSINESS

Cl'm Beatty reported that Brother's Pizza has not complied with letter that was recently sent. The letter stated they were to have the spouting separated within 10 days. Council agreed to have Council President Robinson send another letter and give a specific date to have the spouting disconnected. Robinson said if Brother's Pizza does not comply after the second notice, he will let Cl'm McNaughton know to have the Borough Streets Dept. remove it.

Cl'm Leach stated with regard to the hiring of the Code Enforcement Officer, there needs to be mention of having him generate a form for complaints.

Secretary Ilgenfritz stated while the Council was in Executive Session, she was able to confirm with Pat Bowers that the expenses for engineering fees are to be paid out of the General Fund and not the PIB Loan. Bowers, the Borough's prior secretary for 12 years was involved when the Borough obtained the PIB Loan, and she said this is documented in the loan documentation on file. The PIB is similar to a grant and under the terms of the loan agreement, the Borough is to pay the engineering fees out of the General Fund. The PIB monies are to be used for infrastructure. Cl'm Halstead moved, seconded by Cl'm Leach to rescind the prior motion regarding payment of the engineer's invoices from the PIB and to approve payment of the second invoice in the amount of \$6,747.00 from the General Fund. Motion unanimously carried.

Cl'm Beatty moved, seconded by Cl'm McNaughton to ratify the payment to Barton & Loguidice for engineering expenses in the amount of \$4,018.94 already paid out of the General Fund. Motion unanimously carried.

MAYOR'S REPORT – No report. Mayor Hetrick was absent.

COMMITTEE REPORTS – The Streets Report and Communications Report of August 6, 2019, including recent code enforcement complaints, were placed in Council's packets for review.

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 9:01 P.M.

Respectfully Submitted,
Heather Ilgenfritz
Secretary