

**Mid-Month Budget Meeting
September 17, 2019**

CALL TO ORDER: President Robinson called the meeting to order at 7:00 PM

PRESENT: The Borough Council Members present were Gerald Robinson, John McNaughton, Douglas Beatty, Carl Roush, Tami Halstead, Barbara Leach and Mayor Mary Hetrick. Council Member Richard Delancey was absent. Tami Halstead was the Assistant Secretary to record the meeting minutes.

OTHERS PRESENT: Luke Roman.

ANNOUNCEMENT THAT THE MEETING IS BEING RECORDED

PUBLIC COMMENT: No public comments.

GUEST: William Dissinger, Solicitor

Solicitor William Dissinger was requested to attend the council meeting by the council. Cl'm Robinson stated that our question has been about the problem on Dock Street that happened in April from a torrential down pour that wiped out our storm sewer pipe up between 5th Street and 6th Street. A couple years ago the pipe between 5th Street and 4th Street was replaced. The same situation was the bottom of the pipe went out and there was no way to repair it, so it was replaced. Now between 6th Street and 5th Street, when Ronca was just in here they were doing sanitary sewer work, they paved Dock when we had the outburst. There was so much water and one thing could out size the pipe because the bottom was rotted out. It just picked up the stone and raised the cob making sink holes and just the nature of the beast. They had just paved the Dock up there and we had 3 large sink holes. Actually there were 5 sink holes but three were considerable. It was deemed right away that it was necessary to get that fixed. So they went back through, since Ronca was here and said would they use their unit prices that they gave us for their bids. So Ronca did. So they repaired Dock Street between 5th Street and 6th Street, replaced that pipe and paved it.

What happen is the stones are still moving. Where the stone got to well, Ronca's foreman and his sewer guy were looking and they found them. They found a great deal of stones in the pipes between 4th Street and 3rd Street on Dock Street. And then it was very reasonable that the stone would move downhill as water does. We decided we had to find out how badly that pipe was occluded and what was put in to take the drainage off 4th Street. We did a dye test and the dye did not come out. So to find out what was going on, we dug it. The dye and the water went straight down because the bottom was out of the pipe, the corrugated metal pipe. They poured about three or four yards of concrete on top of that pipe when it was put in around 2006-2007 when they did Market Street. It made it very difficult to work there. They had to jack hammer and get that concrete out to see what was there. So they got that out. Finally they got the first section of metal pipe out. We got to the second section and the same thing, the bottom was out of the pipe. It was still alongside the (he stopped his train of thought).

The two houses that sat there, with this being the alley, when we did this first section of pipe we went about like half way. So the water would certainly, could go right back out and get into these two basements. So we decided we had to do two routes and so we put in two sticks of pipe that was 40 feet. And that's what we were going to do. We got the second section of pipe out and there was more stone in the pipe and again the pipe had the bottom of it out. I had Doug Beatty and Carl Roush look at it and I think John McNaughton looked at it. Dock Street had a dip in it in the pavement. Cl'm McNaughton said the macadam was dipped down a foot. This was the whole way down to the intersecting of Peach Street. They went down there and took the inlet out and it was completely filled

with stone. So there was no way it would carry water any further down the system. I thought this was an emergency and deemed it that and we kept on removing pipe and replacing it as we felt we had to do. One of the big concerns and I'm sure that you have been involved with other municipalities is the need of getting the storm water out of the sanitary sewer system. And that has been a big issue here in Newport for some time. Every portion that we get resolved gets us closer I believe, to being in compliance with that. We looked when Phil Brath, the engineer was here and the sewer operator. We looked at each street going on. We went down to Front Street because the sewer is still combined on Dock Street. The outfall to the river is there, combined now but, and that is where the storm water should ultimately go to catch the storm water. And while it is not connected down right away, it ultimately be connected because the sewer is still combined and there is a weir down there. That's down the road and we are not resolving that. But we started at that point to look and see what's there because our engineer has never seen exactly there. And then they moved up to 2nd Street and looked at the storm sewer inlet and the storm sewer manhole up there and they were clean. We felt there had not been any migration of this crap on down there. Hopefully we keep it that way. That will be one block we do not have to do. But then between 2nd Street and 3rd Street and 3rd Street and Peach Street we don't know but just suspect that this is where the stone is going to be. We found the stone in the pipe that we took out was completely closed. When we started out the pipe was about half to two third's full. And it was 24 inch pipe and we replaced it with 30 inch pipe. But that is not a significant thing. The further we went down the hill the more occlude or closed up that pipe got. We got down to the intersection it was completely full of stone. So they got out all the stone, which was a good thing. Then they got in a 30 inch pipe in down to that point and then we stopped. Cl'm McNaughton stated during the April rain storm, it had to have caused this because it blew the manhole cover off beside the UCC Church right up into the air. There was flooding inside the church that cost them thousands of dollars. Cl'm Robinson said that is what I thinks constitutes the emergency thing of it. He talked to Doug Haines and this is along the house location of where we started and he said he had been getting water in his basement and it quit for a while. Then he started getting water in his basement again. Cl'm Robinson said Haines said, when you are done am I going to have water in my basement and he said I hope not that is what we are trying to eliminate. The five block section of Dock Street from 6th Street to Front Street. The first thing that was done in addressing this combined sewer problem and getting the storm sewer to be what it is supposed to be was directly at 4th Street and Dock Street on crossing 4th Street. That was done when we did Market Street. They went a half a block each way on 4th Street so they could tie the intersection in. And at that point they put a new corrugate pipe across 4th Street and it was a 30 inch diameter pipe. That was in 2006 or 2007. A few years later the Borough and the Sewer Authority did the section on Dock Street between 4th Street and 5th Street with new sewer lines and storm. So that finished that block. In May 2019, Ronca reconstructed Dock Street between 5th Street and 6th Street to fix damages from the night of the storm in April. This got us from 6th Street to 4th Street and across 4th Street actually, as being pretty well corrected and done. So what we were doing was connecting to that. We did not because the run, the storm sewer is not complete back there I know is some but not complete.

And what we have, and you don't know what you have, and when you are working on this so we dug down the piping going away from 4th Street up there was 24 inch. There was 30 inch coming across so the 30 inch that we were using because that is what they had used above so that is what their choice was to stick to that and connect directly to that pipe that had been put in across the street. And I guess you could say we upgraded that at least from 24 inch to 30 inch and certainly upgraded it by putting clean pipe in it and not pipe filled with stone. The determination was by me that it was necessary to keep on going. While we did not vote on it, doing the job at the meeting prior to us starting this, we

need to determine the extent of the damage up there. We were planning to do two or three digs as quick as possible, to determine the amount of damages that the pipes sustained. Well, we never got out of damaged pipes and of course doing any of it. And I believe the next half block we will see the same thing. Right now we are not around any basements that should be jeopardized if water comes out of the pipe. I don't know, I'm sure it was coming out of the pipe but there are no basements adjacent to Peach Street and Dock Street, at the intersection of Dock Street. There are no basements right there to be impacted. When we get down to 3rd Street the house owned by Chris Hess, it might be impacted if we would just stop there.

Until we resolve the type, also I would also check with PennVest because I feel strongly this improvement needs to be made on this storm sewer. They are not throwing too much money at us as far as grants go. They told me if we applied for a loan, that we could get a grant for our planning. But we have not done our planning. That is my side of what went on. And why I thought it was imperative that we keep on going and getting rid of that thing. In the course of doing this, the digging down Dock Street, conditions were significant but we encountered a sanitary sewer line that had not been connected to 4th Street like it should have so, we made a Rube Goldberg connection until the tech can be carried further until it is rerouted out onto 4th Street which is going to have to be dug up which is unfortunate but these things happen. That is the nature of these old systems. That's my story and I am sticking to it.

Solicitor Dissinger said he was asked to come and review the minutes of the last meeting and the now approved minutes of the past meeting. I have taken a serious look at it. I want to start with this. In the future, best practices, you got an emergency you get the solicitor and the engineer out there. This is to certify there is an emergency. That is the first order of business. What that does is takes away the nuance on you making that decision, and that there is in fact an emergency. That's not to say that there was or wasn't in this case. I'm just saying next time best practices, solicitor as a lead for the legalities of it. Engineer handles the practicalities of it have them both certify that there is in fact an emergency. Then you have the problem of authorization to spend the money. This is an emergency and maybe we don't have time to advertise the public meeting. The normal thing to do is to try to have a public meeting if you can. But if you can't then whoever is doing this, needs to individually talk to each of the council members to make sure they are in agreement with this. What that does, is takes you off the hook for making the decision and them not agreeing to pay it. You have to be sure of that. We are kind of doing it backwards here at this point that's all. This is the way it should be done. This is the way I see it done in other communities when we have a situation like this. Let's start with that.

The general rule is these things got to be bid. You know that. I've spend half my life, with this borough telling you, that you can't do that. So there are exceptions. In this case we have two issues. One is the bidding and the other is the authorization from council, for the council to spend the money. Now, the bidding, start with the premise that bidding is required for the project, unless it meets an exception.

There are three exceptions built into the borough code. The first one is just for those routine maintenance repairs or replacements for water, electricity or public works of the borough, if they do not constitute new additions, extensions or enlargements of the existing facilities and equipment. That does not require any emergency finding but it can be done without bidding if it is just no new additions, extensions or enlargements but, it can be repairs or replacements. Now you did replace with slightly larger pipe. So there is a question there whether it falls under this.

The other two are emergencies exceptions, those for emergency maintenance repairs or replacements for water, electricity or public works to the borough. And by the way I do believe that storm water is a public works. I had to take a look at it and I questioned it in my own mind but, I'm convinced that storm

water is a public works. If this does not constitute new additions, extensions or enlargements of the existing facilities. Now if you go that route, it provides that the actual emergency and the nature of the procurement shall be stated by council and adopted at the next public meeting. That would have been your last public meeting. So that was not done. Now what is discussed publicly at a public meeting and so much so. Cl'm Halstead interrupted stating this was discussed at the July meeting. Solicitor Dissinger, asked brought what up? Cl'm Halstead said about having someone look at the situation up there, at the July council meeting. Nothing was said at the August Council meeting at all, two days before it started getting dug on. Cl'm McNaughton stated it was mentioned in August. Cl'm Halstead said no it was July. Cl'm McNaughton said no it was not but in August. Cl'm Halstead said no it was not but in July. I checked the minutes and I was here and waiting for it to be said. Cl'm McNaughton said no. Solicitor Dissinger said let's argue the facts later right now I want to talk about the law. I did not mean to cut you off, just let me finish with what I am doing here.

The third exception is that those for the mitigation of the real potential emergency involving a clear and present danger to the health safety and welfare of the residents of the borough. I think this is most likely the way it was treated and the way it pursued. For those contracted purchases made in case of an emergency and the actual emergency in nature the procurement shall be stated in a resolution by council and adopted at the next public meeting.

So we have those three provisions which take it out of the requirements for bidding. There are exceptions. I think we can justify this under all three. Then you have the second issue of council says no. You don't, you took a risk in authorizing that expenditure of those moneys even if it was a no bid situation. And it is entirely up to council whether they wish to pay this bill or not or a legal bill. A couple of things. The guy did the work. He's got to be paid. If he is not paid he's going to sue us. Now he cannot sue us in contract because there was no contract and only borough council can make the contract. But he can sue in what's called quantum merit. That is a benefit to the borough. Which would basically be the price because it's neither bid prices anyway from the other projects. He could sue the borough and the borough would be responsible. And then I suppose the borough would sue Robinson and then Robinson would sue the borough. All of which is a bit nuts. But, it's the council's call. You get to decide whether or not you spend the money. That's why I said if we are going to go into these situations, it's a good idea to have a meeting if we can and if we can't have a meeting then to make sure we comply with the Sunshine Act which you talk individually with each of the council members and no voting, but get a consensus that you're doing this not sticking your neck out. What I would suggest is that we, if you choose to pay it, that we have at your next meeting a resolution that complies with the requirements here setting forth the project and the procurement and some of the reasons for it. It will be but a little late. But like I said there was a public discussion so let's pick up and do it as best we can at this point. That decision, whether or not to pay that bill is entirely with the decision of the council this but, keep in mind that there is no indication that the work was overcharged and not necessary or anything like that. This is clearly for the benefit of the borough and the system and all of that. It seems appropriate to pay that guy, I think because also because he can make him (Robinson) actually against the borough and collect. As, I said, not in contract because, you guys did not enter into a contract with him. You don't have that authority. We could argue you had the apparent authority but the real argument, and if I were representing you, I would just bring in quantum merit. I did the work. They benefited from it. I need to get paid and get it with that. Cl'm Robinson stated, "Reasonably, these situations don't crop up every day." Dissinger said, "Right." Cl'm Robinson stated, and I learned a great deal and I expect ,someone said, that I have some experience with emergency situations having worked with the Water Authority from the bang age and things were a little bit more critical than that. But this was a little different. And we did not, I mean, if we had encountered pipe

that wasn't totally virtually totally occluded with stone, we'd of stopped. But, we did not. Dissinger, so yeah, in the future, you know, we are going to bid this stuff, we're going to do it having council authorize it, we going to bid it. If we have an emergency, get some people out there to back you up and make these decisions and make those recommendations and they can bring that back to council if we can. If you've got an actual emergency, instead of taking care of it, it's got to be taken care of you know. So that's where I'm at on this. You know, I'd been happier if it had been done a little differently but, that's not to say it was done improperly. You said you found an emergency situation and took care of the situation. By doing so and the way you did you kind of put yourself on the, stuck your neck out. So it is back to council manifesto as to how they want to proceed on this matter. Again my recommendation is this should be, if you can, it should be paid. And you should file and adopt the resolution with the justification for the, that I will prepare to make sure that we are meeting the requirements the best we can, of the borough code on procurements of bidding.

Cl'm Leach, asked if it had to be done tonight, right, while your here? Dissinger replied, no. That will be at your next regular meeting. That is what I would recommend, this is a little chopped up. We are going to adopt a resolution. We're going to do that at your regular meeting. That can be done at your next regular meeting.

Cl'm Halstead asked Dissinger, what is your definition of, we said an emergency, time frame? Like it says in the act, at very next council meeting, like water spewing all over the road it needs fixed immediately. You take care of it at the next council meeting. This has been going on for a while. It was never brought to the vote. Nothing was ever given to show how much it was going to cost. The next thing you know I am driving out of town and see a back hoe up there on August 8, when we had a meeting on August the 6th. And this happened way from April. And my other problem is piecemeal because this individual has no ability to pave the road and it is completely dirt. And so how do we get by with then hiring another company to pave that, when that's part of this project? How do you get away from piecemeal? Dissinger says, "You are going to bid that." Cl'm Halstead, but how can you have somebody do a job...Dissinger says that is not an emergency, someone paving the road is not an emergency so you're going to bid that. Cl'm Halstead, but how can you have that...Dissinger, now piecemeal that's actually what the next provision of the borough code talks about. It is actually a misdemeanor of the 3rd degree. Cl'm Halstead says, "I know." Dissinger, but that all talks about no member of council may evade section 1402 which I just talked about, as the advertising of bids by purchasing and contracting for services in personal properties. Piecemeal for the purposes of obtaining prices under the amounts specified or justified. There is no indication that that's what happened here. Cl'm Halstead, but isn't piecemeal when you break a project apart into parts? Dissinger, that's right but, that's not. Cl'm Halstead, wasn't part of fixing a street having to finish it? Dissinger, said that is different. This would be, what we are focused on here is the emergency. There is a slight difference I've got an emergency. Cl'm Halstead, said so back to my original question. Emergency, what is the time frame with? Dissinger, I understand. Cl'm Halstead, with the next council meeting? Dissinger, well right well, the next council meeting there should be a resolution. I understand that and it was not done. It was discussed publically. We are going to get as close as we can, I think it's appropriate. I could not see any prohibition for any penalty for missing it by a couple of weeks. Cl'm Halstead says, "Months". I'm seeing we are supposed to go ahead and do that. The provisions, the penalty including the ten percent (10%) assessment, they all come from breaking it up, breaking the contract up piecemeal to avoid bidding requirements. Cl'm Halstead said, "Alright I think it was done. Dissinger, said" I don't think so here." The bidding requirements are being avoided, I'm not using that in the majorative sense, through the emergency procedure. They want to avoid it by breaking them up. And in any case, if it needs paved, fine, we will get a bid for it. We are not avoiding any bids for paving.

Cl'm Halstead asked Dissinger, so what about the rest of this work that needs done and it is not creating an emergency? So what about that? Dissinger replies, normal procedure bid it. Cl'm Halstead replies, so in other words we voted at the last council meeting for all work to be stopped until we talked to you. Dissinger replies right. Cl'm Halstead says from here on out anything that is done should be written up in a contract, written down and then priced and then bid. Dissinger states correct that is the rule. Cl'm Halstead said so then no more work should be done with them ordering an inlet or them deciding to go on down the alley or them hooking up pipe. Dissinger states is the emergency contained at this point, that' my understanding that whatever the emergency situation is, it's contained.

Cl'm Robinson said the pipe on Dock Street is down to the intersection of Peach Street. There needs to be an inlet set there. The 30 inch pipe will need to go into it. Cl'm Halstead stated the so called emergency is stopped and you cannot keep avoiding bidding. Cl'm Robinson said he had the engineer out there. The engineer did not deem it as an emergency when he looked at it because he did not know what was there. Dissinger stated he did not say it was not an emergency either. It was uncertain what was there. Dissinger is agreeing with Cl'm Robinson's judgement. He should not have stuck his neck out that far. Other decision makers need involved. Cl'm Robinson said it was difficult to estimate. Cl'm Halstead said we did the same thing on two block between 5th and 6th Street for \$53,000.

Cl'm Leach said if she had a similar situation with gushing water coming into my basement. I would think that the borough, Robinson and the rest of them would come and look at that. Dissinger said of course they would. Cl'm Leach said there is not going to be time to get a solicitor and an engineer right there. Dissinger said yes there is. Cl'm Leach said overnight or something? Dissinger said you bet ya. Cl'm Leach oh there is? Ok I did not know, if you would be on call to get there. Dissinger said he would get there yeah. Cl'm Leach said that is what she wanted to know because if I am flooding out with water and there is a broken pipe I am going to be a little bit upset. And I know my insurance company will be a little bit upset. Dissinger said he lives on the ridge and he is right here. My office is in Marysville and my staff can always find me. And we will take care of it and do what we need to do to get an engineer and if we don't have an engineer we will do the best we can. We have an emergency situation we have to take care of I want to make sure that we do it in a way that protects the people who are taking care of it. I will be there all you have to do is call me. I know that you do not want to call me to incur legal fees. In a situation like this if we are going to non-bid, red flags! We've got a problem and let's make sure we do this right. That's why we have these procedures in here and why you know, what I am recommending that the engineer and the solicitor isn't required, right but, it is as I put it, best practices to take some of the heat off of the guy who is on point on this, whom ever that is. They are making the decisions and I think if we have those other people there, as kind of, that they yes or no, you're out of your mind, you know that sort of thing, it takes the heat off you. Look, I give you, as council president, a legal opinion and I am going to give you the best I can and I am usually right. But, if I'm wrong, and you rely on it, you're allowed to rely on it, because even if I'm wrong, then it's on me and not on you. That is my job. And that is the job of the engineer too.

Cl'm Robinson said procedurally, you think we should now do a resolution? Dissinger said I think I should do the resolution for you to adopt at your next meeting. Cl'm Robinson said we did not get the bill to the best of my knowledge. Dissinger said it is not necessary, that will be a decision. But I think the resolution, let's get that done as soon as we can and that would be your next regularly scheduled meeting. Let me prepare it so that I'm content with it and it meets the requirements that I need it to meet. Cl'm Leach, then we at council vote if we want to pass it. Dissinger said we adopt the resolution about the emergency, then you can decide whether you want to pay or not. Cl'm Halstead said it is just that we are saying that this was an emergency, by resolution is what you have to do so, that is saying we declared as one. Dissinger the actual emergency and the nature of the procurement shall be stated in a

resolution by council. That is just the actual emergency and the nature of the procurement. Cl'm Halstead asked what is the procurement? Dissinger said who was engaged. How was it done? Cl'm Halstead said nobody. Dissinger said well someone was. Cl'm Halstead said not really, no only what Robinson did. Dissinger said who were the arrangements made with. Cl'm Halstead said nobody there wasn't. That is what I am saying, there wasn't anybody. Dissinger said of course there was someone did the work. Cl'm Halstead said but we don't have anything from him. Dissinger said yeah. Ok that's the procurement. Cl'm Halstead said we've got nothing from him. Dissinger said we don't have the bill yet. Cl' Halstead said we don't have anything. Dissinger, well then that is the nature of the agreement. Cl'm Halstead said it's a verbal between Jerry and Harry. Dissinger said that is the nature of the procurement. It's all a verbal agreement. It's still a contract. Cl'm Halstead said between him and Harry and not the council. Dissinger said, well that's a different issue. That's a different issue. And that would be anticipated because of the nature of the emergency. He did not have time to go through the solicitor and drawl up some fancy bid package and contract. Cl'm Halstead said but they talked to him in July and they did not start until August. Dissinger laughed and said, "Well I am going to justify it as an emergency." Cl'm Halstead said, "Good for you." Dissinger said that's right and that's where we want to go, I will present that and have that for you for your next meeting. What you want to do with it is up to you. I explained that to you, whether you want to pay the bill or not is up to you. You know my thoughts on that and I've given you my opinion.

Cl'm Leach said when I was on council in the past, on council that's the way things have always been done, the borough took action to resolve the matter. The bidding I don't think a lot of that came up in the past. She knows you have to bid. But the council takes care of it. Dissinger said all these bidding requirements are a pain in the neck. Prevailing wage which just adds cost to something, and all the requirements which just add cost. You're trying to do it efficiently and your trying to do it, fine. But the law is the law and it still is the thing to do.

Cl'm Halstead asked so we are having them cease from going forth with anything else that needs to be done which is remaining. Dissinger said yes unless there is another emergency. Cl'm Halstead said so unless something blows apart of something that was to stay together. Dissinger if it is an emergency then we will take care of that as we can and as we. Cl'm Halstead said so everything should be done and he should give us a bill? And then we look at what needs done in the form of a request for proposal or for a bid document. And then we put it out. Dissinger said right. Cl'm Halstead said, so whatever happened up there , whatever MESS, we are left with we have to take care of it. Which means we are going to have to pave that section which I still think is piecemeal, but anyway. Cl'm Robinson said paving was not apart of this thing anyway. You're not going to pave that now, until you get your grade in to do what they call a reverse crowning, to lead the water to the inlet. Dissinger asked it's unpaved now correct? Cl'm Halstead said and there is no money for paving. Dissinger said there is no paving now. And I see that as appropriate as I don't see paving as being a part of dealing with the emergency. It's a borough project to bid it. Cl'm Halstead said we might be able to use liquid fuels to pave there. Dissinger said maybe, if you bid it. Cl'm Halstead said I just do not want to be charged with piecemeal because this is finishing up what someone started. I do not want to be liable for that. Dissinger said this got all torn up as a result this emergency. I'm not having a problem with piecemeal. Seriously if I thought you were I would say so. Cl'm Halstead said I am still leery. Dissinger said I understand.

Cl'm Halstead asked if he needed to put anything in writing saying that whatever he did is done, to Harry Fahnestock and to get us a bill? Dissinger ask Cl'm Robison what was the arrangement made with Fahnestock? Cl'm Robinson said,he will submit a bill. Dissinger said let's tell him to do that. Cl'm Halstead said it looks like they were planning on going on with more and more stuff. So I think it needs done and stopped. Dissinger said if the emergency is done, he is done. We need a bill ok. Cl'm Halstead

said we need that stated formally or a motion? We need to make that understood that nothing more will be done. Cl'm Robinson said we need a motion for the resolution.

Motion on emergency resolution:

Cl'm Halstead **moved** that we have Mr. Dissinger prepare a resolution in the form of declaring Dock Street an emergency. Douglas Beatty **seconded** the motion. Motion carried. Cl'm Halstead stated that does not mean we agree with it. Dissinger said no, it's going to be before you for adoption and it's your decision.

Dissinger asked who was going to notify Fahnestock? Cl'm Robinson said I will tomorrow. There is some stone that needs cleaned up. Cl'm Halstead said no, we need to put that into writing. Dissinger said let's make sure a letter goes out that he stops at this point under your emergency procedure. And request a statement, bill. So I don't know how you want to do that it's fine. If you need me to do that I would be happy to do it.

Motion on Dissinger writing a letter to Mr. Harry Fahnestock to cease work.

Cl'm Halstead **moved** that Dissinger would prepare a letter to Mr. Harry Fahnestock relaying to him that the emergency has ceased and his work will cease and that we shall receive his bill for services rendered up until this point and that they shall no longer proceed with any additional work. Dissinger said I think that is a good idea. Cl'm McNaughton **seconded** the motion. Motion carried.

NEW BUSINESS

Approval of the September 3, 2019 Regular Meeting Minutes: Cl'm McNaughton moved and Cl'm Leach seconded to approve the minutes. Motion carried.

2020 Newport Borough Budget: The proposed 2020 budget items were discussed line item by line item. Figures were placed and the assistant secretaries will insert the numbers for the next meeting.

Parking permits for care givers: Code Enforcement Officer Harry Nazarro brought this to the council's attention. Care givers told him that the past code enforcement officer said to put a piece of paper on the dash board of their car and they won't get a fine for parking over 2 hours in 2 hour parking in the square. Borough Council needs to address this issue, to determine if we want to do this. Dissinger will give his opinion on this.

Cl'm Robinson ask Solicitor Dissinger about his concerns about 640 Oliver Street: This is the house that burnt down. The council has given them additional time but the progress has come to an impasse. The dumpster is full and there is rubbish. Dissinger says it appears to be a public nuisance. We have some feelings about their financial situation. We can go to court with a court action. We can evade the nuisance our self. We can bid it and pay the bill and he liens the property. They also have a garage. The garage is on Oliver ST. Did we declare it a public nuisance? No we did not. We need to give it some thought how to take care of it. Do we want to go to court? Cl'm Robinson tabled it until the next meeting.

Cl'm McNaughton asked how long does a current council member have to resign when they are moving out of the borough? Dissinger replied that once you move you must resign that you don't qualify to be on borough council any longer. You must resign once you no longer live here. The council has 45 days to accept that resignation.

COMMENTS AROUND THE TABLE: Harry Nazarro said things are going well. He is working on getting things cleaned up a little bit at a time. He is having trouble finding out who owns properties.

MAYOR'S REPORT: Mayor Hetrick reported she presented a proclamation to the American Legion for their 100th Anniversary on September 7th.

Cl'm Robinson estimates that paving from 4th to 3rd on Dock with additional pipes and inlets will be around \$15,000.

NEXT MEETING DATE: October 1, 2019

ADJOURNMENT: Cl'm Roush moved and Cl'm Leach seconded to adjourn. Motion carried.

Respectfully Submitted,
Tami Halstead,
Assistant Secretary