

Newport Borough Council
June 7, 2022 - Regular Meeting Minutes
Newport, Pa 17074

President of Council Penny Frownfelter called the meeting to order at 7:00 P.M. with Mayor Robert Campbell and Borough Council Members Chris Fickes, Jacob Zentichko, Billie Dudley, Greg Shope, Tami Halstead, and Mary Bucher present.

Others Present – Kaydi Hill, Frank Campbell, Jamison Magaro, and Ryan Newhard.

Mayor Campbell led the Pledge of Allegiance.

President Frownfelter announced that the meeting was being recorded.

At this time (7:01 P.M.) Engineer Phil Brath opened the Bids received for the 2022 Paving Project.

The following Bids were received:

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|-------------------------------------|--------------|
| (1) New Enterprise Stone & Lime Co. | \$167,151.00 |
| (2) Mid-State Paving & Excavating | \$261,180.45 |
| (3) JFS Inc | \$182,039.66 |
| (4) Glenn Hawbaker | \$157,784.50 |

Phil Brath commented the lowest responsible bidder of \$157,784.50 from Glenn Hawbaker, with funds available is within the budget.

Cl'm Dudley moved, seconded by Cl'm Bucher to accept the lowest bid of \$157,784.50 from Glenn Hawbaker pending review of the Bid Documents by The Engineer Phil Brath and the Solicitor Bill Dissinger. Motion carried unanimously. Cl'm Halstead commented we still must dispose of the current millings up at the shed. Are there any suggestions on how to dispose of the millings from this project? This is her concern.

Approval of Minutes - Cl'm Dudley moved, seconded by Cl'm Fickes to approve the April 5, 2022 Regular Meeting Minutes as drafted. Motion carried unanimously.

- Cl'm Fickes moved, seconded by Cl'm Dudley to approve the May 3, 2022 Regular and May 17, 2022 Mid-Month Meeting Minutes as drafted. Motion carried unanimously.

Guests

Jamison Magaro, representing the Newport School District, attended the meeting to talk about the School District Paving Project. He attended the Newport Borough Planning Commission Meeting on June 1, 2022 and came to the meeting to respond to the Planning Commission's recommendations. **The Planning Commission recommended** the School District apply for a Zoning Permit. A building permit is required for improvement which cause an assessment increase such as a paving a parking area. The school District decided to forego any expansion of any of the lots of the school District with exception of the (2) new ADA parking spaces adjacent to Caroline Street. The District is not paving any new parking areas. The School District has submitted an application to the Borough for a Zoning Permit. The District has received a favorable bid to complete the work and the School District was awarded a loan and grant from USDA that will cover the majority of the cost of the work as bid. Due to the volatile nature of oil and gas prices, the bid has a limited window and any delay in the completion of the work could result in an increase in cost of the work beyond the grant amount. The District is attempting to complete this long overdue work on the parking areas with no impact on the taxpayers of the District. **The Planning Commission recommended** that the School District shall not enlarge the existing lots. Green space requirements must be met when modifications are requested. Mr. Magaro responded the District plans to forego any green space modification that had been planned and will maintain all existing Parking areas as is other than (2) two new ADA spaces adjacent to Caroline Street. **The Planning Commission recommended** that the

School District shall follow all design standards. The School District requests that the parking lot areas continue to be considered prior non-conforming use areas as this is an existing parking lot and design standard parking space minimums would greatly reduce the number of spaces available to the District. The District currently has 103 spaces that measure approximately 8' X 14'. With the new parking layout being considered at the High School, the District would be able to maintain 103 spaces measuring 9' X 18'. Otherwise, the District does not have any concerns meeting other design standards. This does lessen the congestion in the Borough streets. Mr. Magaro will provide design of the layout of the parking area spaces to the Zoning Officer. **The Planning Commission recommended** that the Borough's Engineer evaluate the condition of the storm lines and inlets on Gantt Street and 6th Street for their integrity and ability to carry any increase in storm water intake from redirection of storm water and to consider a retention pond behind home plate area to collect excess storm water runoff from the parking lot in heavy rain events. Mr. Magaro stated the District's Engineer has evaluated this area and provided a plan to redirect stormwater to existing inlets and storm lines to help alleviate the current hazard of water run-off. While their engineer did review the stormwater network when preparing the inlet and pipe layout, they cannot confirm condition of all downstream pipes, inlets, and connections. They would be comfortable working with the Borough Engineer on this as well as potentially looking at alternatives. **The Planning Commission recommended** the Borough Engineer evaluate the Newport High School Parking Lot adjacent to Caroline Steet regarding the storm water run-off. This is a concern. **The Planning Commission recommended** keeping the grassy area at the bottom of the parking lot adjacent to Locust Street for retention and filtration of storm water. Also, the elevations of the parking lot need to be evaluated by the engineer specifically at Locust Street and Caroline Street. Mr. Magaro stated The District will maintain the grassy area at this time. Elevations are planned to remain within the grade parameters of the existing parking lot. **The Planning Commission recommended** a pervious surface material be used that allows for water penetration. The School District will consider this option with the District's engineer and contractor. However, the use of porous pavement for ADA Parking is typically discouraged because of the course nature of the paving surface. The openings related to porous pavement may provide tripping hazards for individuals with canes and walkers and is problematic for wheelchairs. **The Planning Commission recommends** an agreement with the Newport School District to relocate the existing crosswalk on Caroline at Locust Street a few feet towards 6th Street to create a safety zone to aid the handicap parking area. The District did concur with and supported this recommendation. President Frownfelter felt that the Handicap Parking off Caroline would be a bad place to back out of. Mr. Magaro commented they really did not have any other option. Cl'm Dudley asked can a car pull into the parking space without blocking the sidewalk. Mr. Magaro replied they will be reserving a safety space in that area. We need to look at the traffic pattern. Solicitor Dissinger will review the created handicap parking. Cl'm Dudley asked if they evaluated handicap parking on 6th Street. Mr. Magaro answered it is pretty tight in that area. Phil Brath asked if they looked at a bigger project to angle the spaces. Mr. Magaro answered not enough money in the budget. Mr. Newhard commented they will have handicap parking in the parking lot also. Solicitor Dissinger commented this is a bad design, does not like it at all. Mr. Magaro stated we will take the handicap parking out of the plans till it can be addressed and we can move forward with our plans. Solicitor Dissinger commented pull the handicap parking out of the plans and a Zoning Permit can be issued and have the approval of the Engineer to work with the School Engineer to review recommendations from Planning and any other issues that arise. **The Planning Commission recommends** the paving of the elementary school parking lot with same use of the existing conditions as to not create any new storm water run-off. Additionally, evaluate the area for its slope. The District concurs and supports this recommendation. **The Planning Commission recommended** that the Newport Borough Council amend Chapter 237.Vehilces and Traffic Subsection 237-10. One Way Streets change the direction of travel to South. Also recommended check with local emergency service providers for impact. The District concurs with and supports the recommendation. Solicitor Dissinger recommended doing a traffic study to see what the flow of traffic is. **Cl'm Halstead moved, seconded by Cl'm Fickes to allow the Borough Engineer Phil Brath to work with the School Engineer to finalize plans to meet the requirements from the Zoning Officer. Motion carried unanimously. Solicitor Dissinger commented do a way traffic study between Oliver and Caroline on Locust Street. Cl'm Halstead moved, seconded by Cl'm Shope to have the Engineer do a traffic study between Oliver and Caroline on Locust Street to confirm the one-way direction the Borough should go with. Motion carried unanimously.**

- **Frank Campbell** reported there was a 911 Memorial Trail established from Washington DC to Shanksville to New York City and Back to Washington DC. It is mainly a motor vehicle trail. There is a group of bicyclists that will be riding the trail and will be in Newport on June 14, 2022 around 10:30 A.M. Mayor Campbell will be there to

welcome them. They will park in the square and walk up to the park at 4th and Market. Frank requested that the Borough block off (4) parking spaces in front of Espresso Yourself Café from 9:00 A.M. till Noon for the bicyclists to park and take a rest. Cl'm Dudley moved, seconded by Cl'm Shope to approve the request from Frank Campbell to block off (4) spaces in front of Espresso Yourself Café from 9:00 A.M. till Noon on June 14, 2022 for the bicyclist's traveling on the 911 Memorial Trail to park and take a rest. Motion carried unanimously. Frank also reported there is a Downtown Revitalization Meeting on Thursday June 16th at 6:30 P.M. The Council is welcome to attend.

- **Kaydi Hill** of 138 S 4th Street came to Borough Council because she had an issue with a tree along her sidewalk which is causing damage to her roof and attic and the roots of the tree are growing into her basement. Also, the sidewalk is lifting. The home is owned by her Aunt and Uncle Donna and Mike McAllister. She does not think the tree can be removed but possibly cut down. Mike and Donna McAllister say that the Borough owns the bank up to the sidewalk. The tree sits below the sidewalk. Phil Brath looked at and said it is possible to take down but not remove the roots. Cl'm Halstead commented the Borough owns the bank and this needs to be addressed. Cl'm Fickes asked if the sidewalk was going to be done as part of the Curb and Sidewalk Project. Phil Brath suggested we do the sidewalk last and do with whatever money we have left. President Frownfelter said to put it on the list to do. There are also a couple of more trees that will need addressed. Cl'm Fickes said coordinate and be smart about when we do this. When the Sewer does their project, they will not close the road, they will have one way traffic. Cl'm Halstead said this should be done this year. Cl'm Dudley moved, seconded by Cl'm Fickes to get quotes for the cost to take down (3) trees on the bank at S 4th Street. Motion carried unanimously.

Engineering Report - Phil Brath reported over the last month he prepared the bid documents for the 2022 Paving Project. He worked on the Borough Garage facility drainage on N Shrub Street and discussed project with Contractor and Street Committee to verify requirements. He prepared sketches and specification documents for contractor quoting of work. Phil continues to work with Mayor Campbell in efforts to the creation of a Borough Map with all facilities and plan improvements. Phil worked on the Curb and Sidewalk Improvements Project scheduling staff to visit site to determine improvement design at each location, survey for certain locations. He had intermittent communications with the Water Authority engineer and Penn DOT engineer regarding water line work, some waterline answers will answer questions regarding stormwater work. He was having discussions with PennDOT to see what work they will coordinate. Borough will have to get a Highway Occupancy Permit, cannot be combined with sewer project. Borough must have their own. Phil prepared sketches and preliminary engineering on drainage improvement options required within the project. He prepared draft cost opinions and select cost effective option. He requested info from Cody regarding the drains that were cleaned. He gave everyone a copy of the draft opinion probable construction costs and reviewed it. Phil continues to work on plans and specifications for 5th Street from Market to Mulberry Streets to complete what was restarted prior to placing a hold on work again. He is coordinating work needed with the Water and Sewer Plans.

Street Committee Report – Cody Harris Report: The majority of their time has been spent on sweeping. By the end of the month, all the streets will be swept, and inlets dug out. They did dig out the inlets that Phil Brath requested to clean out. He will send Phil photos. Once the main cleaning is done, they will go back and start all over again. We may have to start looking for a new brush hauler, as our current vendor has been struggling to empty our dumpster. They have been painting the crosswalks and parking lines since they received their paint. Square looks wonderful. They have been doing their best patching hole, sweeping, inlets, garbage, and anything else they hear about.

- Cl'm Fickes reported they have been looking into the replacement of the tractor. We have a 2009 John Deere Tractor with 1,861.8 hours, he believes that is wrong and it is 7,861.8 hours. He will be getting quotes from different vendors.
- Cl'm Fickes received (2) quotes for N Shrub Street storm repairs. There was a third vendor Kevin Ferris of C & R Excavating who looked at the project to give us a quote, but no quote was received to date. One from Kirby Kitner for \$18,500 and one from Amity Enterprises for \$18,280. **Cl'm Dudley moved, seconded by**

Cl'm Halstead to accept the quote from Amity Enterprises in the amount of \$18,280 for the N Shrub Street storm repairs. Motion carried unanimously.

- Cl'm Fickes reported the Borough's Engineer Phil Brath reviewed the recommendation from Kirby Kitner to do the repair at 6th and Caroline Streets. Kirby's suggestion was to put an underdrain in and run it to the inlet. Phil thought that was a good move and it does not take a lot of pipe. Need to go ahead and get that done.
- Cl'm Fickes reported we have a code enforcement truck that is collecting dust. It is not being used. We are paying insurance and inspection on this vehicle. Recommended selling the vehicle. Cl'm Halstead commented we have always had a vehicle for codes. To buy another vehicle is pretty expensive. Cl'm Fickes will get some accurate numbers on the value of the truck and bring back to Council. Tabled till we get the Kelly Bluebook price.
- Cl'm Fickes asked Council Members to text or email Cody, Cl'm Shope or himself for all communication to the Street Committee.

123 S 2nd Street Handicap Ramp – Cl'm Dudley reported she did not get the construction specs yet. Mayor Campbell has not looked at yet either.

55 S 2nd Street – Solicitor Dissinger reported the Council held the hearing of 55 S 2nd Street. He has not heard anything from the owner. He is running out of time. Cl'm Dudley reported the demo quote is coming from Kirby Kitner. No one will quote to repair the property. Some contractors have over a year of jobs lined up and are not interested in giving us a quote. Cl'm Halstead asked how much time do we have. Solicitor Dissinger commented we must move on it because we made it a dangerous structure. Solicitor Dissinger commented Duncannon is doing a teardown, he will provide info to Cl'm Dudley. Tabled till next meeting.

Ordinance Clarification – Solicitor Dissinger received an email from Code Enforcement Officer Billie Dudley regarding the Ticketing Ordinance. The Ticketing Ordinance is just fluff, sits on top of all other ordinances. It is no help at all with the sticky ones, has no repeals in it. Solicitor Dissinger commented ticketing is a courtesy. If you proceed in court, then you must use the other ordinances. The ticketing ordinance was created to handle things quickly. When you get into a sticky situation then you use the other ordinance. President Frownfelter said even though the ordinances are conflicting. President Frownfelter commented so simple things use the ticketing ordinance. Solicitor Dissinger said you do not want to go to court on a ticket. Use the Ordinances if you come to a sticky situation. Cl'm Dudley commented we need to fix the main ordinances.

- Cl'm Dudley reported that 38 N 4th Street property has been cleaned up. The trash is in the dumpster. 10-day notice was given for the grass. Now people are complaining about the dumpster being there too long.
- Solicitor Dissinger was asked if the Borough needed to codify our ordinances. Solicitor Dissinger stated it is not required by law that we codify. The ordinances can be posted on the website and clarify that this is a courtesy. Make sure you have all the amendments. Things that change can be done by Resolution, like fees are set by Resolution. When amending to add a stop sign and one-way streets etc. you cannot do by Resolution you have to amend the ordinance, no attachments allowed.

Treasurer's Report for June – Newport Borough General Fund balance June 1, 2022 was \$187,367.76. Outstanding bills presented for payment in the amount of \$12,216.24. Estimated income for the balance of June is \$33,226.75. Estimated expense for the balance of June is \$30,959.97 will leave an estimated balance June 30, 2022 of \$177,418.30. Liquid Fuels Account balance June 1, 2022 was \$75,469.98. Outstanding bills presented for payment in the amount of \$5,369.93 will leave a balance of \$70,280.05.

- Cl'm Halstead moved, seconded by Cl'm Shope to pay the outstanding bills presented for payment in the amount of \$12,216.24 from the Newport Borough General Fund and pay the outstanding bills presented for payment in the amount of \$5,369.93 from the Liquid Fuels Account and pay the additional bill from Hetrick Electric for \$464.57 for additional electrical work at the playground from the General Fund Account. Motion carried unanimously.

- Secretary Bowers reported the PLGIT Accounts have been opened. There was \$124,418 transferred to the PLGIT Reserve Account, \$200,000 transferred to the PLGIT Paving Account and \$71,814.50 transferred to the ARPA Funds Account.
- Secretary Bowers reported the Register & Recorder's Office will be changing the way we receive payment. Right now, we receive a check, they will be changing to doing an ACH transfer each month. It has not been enacted just yet but is coming in the near future.

Finance/Grant Committee Report – Cl'm Bucher reported the Committee met on May 26,2022. They talked about the need to replace the tractor. Looking to USDA for grant/loan to purchase. Tabled till we get some specs. Talked about the roof of the Borough Building and about potentially using the ARPA money to pay for. Also talked about 55 S 2nd Street demolition/repairs. Talked about the need to look for grants for the upstairs of the Borough Building restoration, the Borough Shed, the Caroline Street runs and the tractor equipment. President Frownfelter commented we also talked about salaries. We need to make sure the use of the part-timers and per diems are limited. We used quite a bit of the budgets in the first 5 1/2 months. This is for everybody. We need to remain under or within the budget. Cl'm Halstead commented we have \$71,814.50 left in ARPA money. We need \$68,000 to pay sewer for the storm repairs in Market, 4th & 5th Street. That leaves us with \$3,814 left from the ARPA money. The figures that the Engineer Phil Brath talked about tonight; we will need approximately \$81,000. We will be getting another allotment of \$83,000 in ARPA money, we will have \$2,000 left from there which leaves us with \$5,800 to work with. We just awarded a bid tonight of \$18,000. We are short \$12,480 short of our projects. This does not include the roof replacement. Somewhere we are going to have to come with some money out of our General Fund or our Reserve Account. This amount does not include the roof replacement or the demo of the building at 55 S 2nd Street.

Code Enforcement Officer Resignation – Code Enforcement Officer Billie Dudley took her resignation off the table for now.

- Code Officer Billie Dudley reported the Rental Ordinance is coming along, on the third draft. She started working on the blighted and abandoned property ordinance. Property Maintenance is higher priority.

Ordinance Committee Report – Cl'm Zentichko reported they have a few more edits and corrections to do on the Vehicle & Traffic Ordinance. Hope to get something out this month.

Playground Committee Report - Cl'm Halstead reported the following repairs were done at the playground. The Faucet in the women's restroom and the child's urinal will be fixed June 10. The electrical work and service pole was installed. The merry-go-round is repaired. The new roof is completed on the old restroom building. The Pavilion tables and benches will be painted in late summer, early fall. The large pavilion and kitchen were rented on June 4th. The premises were found in good condition after use. The \$50.00 deposit should be returned to renter. **Cl'm Halstead moved, seconded by Cl'm Dudley to authorize the refund of \$50.00 to the June 4th renter of the pavilion. Motion carried unanimously.** NRPS has applied for some grants for pathways at VMP. The T-Mobile Grant and the Kubota Grant were not awarded to VMP. The DCED Greenways Grant award will not be announced until Fall of 2022. The CDBG -Covid Grant was awarded to the Borough for \$23,552. Currently they are waiting on approval status from DCED on the change of scope for the project from Pathways to playground equipment. Frank Campbell is scheduling Wednesday workdays at the park at 1:00 P.M. Anyone who wants to help at the park can contact Frank to be put on the contact list. Maintenance at VMP is ongoing. The Committee felt that when the pathways are completed it would provide additional recreation for ages 13 to 16. Exercise equipment could be placed along the pathways that are beneficial for their age as well. This is a future goal. There is currently basketball, softball, tennis, pickle ball and volleyball available for this age group.

Mayor's Report – Mayor Campbell reported on the 5th and 6th Street Project that Larry Zies does not want a handicap parking spot. He does not want to pay the \$100 annual fee to have. The Mayor told him that was his only option. The Mayor attended the Sewer Meeting May 26th and they begrudgingly gave him some of the info he needed. In talking with sewer, they will be doing S 2nd Street as soon as they have the funds. He will have more questions for sewer. He will soon know what streets we will be able to do next year. Has not had any calls for dumpsters lately.

Old Business

Roof Quotes for the Borough Building – The Borough received (3) quotes for the Borough Building roof. All (3) quotes were for replacement of the roof. Encore would only provide a quote for a rubber roof in the amount of \$15,980.00. Houck gave a quote for a metal roof in the amount of \$39,929.00 and Fisher’s Roofing gave a quote of \$14,471 for a metal roof. Fisher’s Roofing offer another quote for a different gauge of roofing for an additional cost of \$7,600. Cl’m Dudley moved, seconded by Cl’m Bucher to accept the quote from Fisher’s Roofing in the amount of \$14,471.00 for a standard 28-gauge metal roof for the Borough Building. Motion carried unanimously.

Website Update – Cl’m Dudley reported we are still making updates and still testing the website. Once we go live, we will have electronic forms for submittal directly to the Borough.

New Business

Secretary Position Update – President Frownfelter reported we will have an Executive Session later on in the meeting to discuss.

PTO, Holidays, Salary Discussion – President Frownfelter reported at the last meeting the Council received a copy of the Newport Water Authority PTO Policy for review. We could use this as a starting point for discussion for the Borough to consider. Cl’m Zentichko commented he preferred a one bucket PTO time. We can talk about this for next year.

Trash/Recycling Grant – President Frownfelter reported nothing new at this time.

Municipal Authority Resignation and Approval to Advertise Vacancy – Cl’m Dudley moved, seconded by Cl’m Halstead to accept the resignation of Kayla Smith as a board member of the Newport Borough Municipal Authority and approve the advertisement to fill that vacancy. Motion carried unanimously.

Adobe Acrobat Account for Creating Documents – Cl’m Dudley reported she would like to purchase an Adobe Acrobat for creating documents for the Borough Secretary and Code Enforcement Officer to use. It is very useful in doing the ordinances. The Secretary can use for bid documents etc. It has e-signature capabilities. The cost would be \$179.88 a year. It would be for (5) licenses. Cl’m Zenticko moved, seconded by Cl’m Bucher to approve the purchase of an Adobe Acrobat Account for Creating Documents for (1) year at a cost of \$179.88 for (5) licenses. Motion carried unanimously.

Part-time Employees – President Frownfelter commented we talked about the part-time employees earlier. Cl’m Halstead commented she knows somebody worked as a fourth person on streets that was not approved by Council to do so. They were approved for snow plowing only. We have no more funds for part-time streets. Do not know how someone can work for us that is not approved by Council. Cl’m Halstead asked Solicitor Dissinger what he thought about that. President Frownfelter reported we have (2) part-time street employees. (1) is permanent part-time street employee and the other is part-time seasonal for snow plowing. We needed to use our part-time snow plowing employee for work that needed done. Solicitor Dissinger stated just ratify it. Cl’m Dudley moved, seconded by Cl’m Fickes to ratify Ron McNaughton and Frank Campbell as per diem employees. Motion carried with Cl’m Halstead opposed.

Municipal Snow Removal Agreement with PennDOT 2022-2023 - Cl’m Dudley moved, seconded by Cl’m Bucher to approve the Agreement with PennDOT for snow removal for 2022-2023 season. Motion carried unanimously.

Butz House LLP Lease Agreement for Parking - Secretary Bowers reported the Butz House LLP Lease Agreement for parking expired July 31, 2021. They lease (4) spaces from the Borough for tenant parking on Penn Avenue. The last agreement was for (5) years at a cost of \$15 per space for a total of \$60.00 per month. Cl’m Dudley moved, seconded by Cl’m Halstead to renew the lease for a period of (2) years at a cost of \$20.00 per space for a total of \$80.00 per month. Motion carried unanimously.

Communications

- (1) Newport Water Authority April 12, 2022 Meeting Minutes & Financial Report
- (2) Newport Borough Municipal Authority April 28, 2022 Meeting Minutes
- (3) Bridge Inspection Report from the Commonwealth of PA – available for review

July 5, 2022 at 7:00 P.M. is the next meeting.

President Frownfelter reported August 2, 2022 is National Night Out in the Park from 6:00 P.M. to 8:00 P.M. Think about changing the meeting date so that Borough Council can attend. Tabled till the next meeting.

Cl'm Dudley moved, seconded by Cl'm Halstead to go into Executive Session at 9:04 P.M. Motion carried unanimously. President Frownfelter announced the Executive Session is being held to discuss a personnel matter.

Cl'm Halstead moved, seconded by Cl'm Bucher to come out of Executive Session at 9:34 P.M. Motion carried unanimously.

Cl'm Bucher moved, seconded by Cl'm Dudley to hire Tyteayanna Zimmerman as a Full-time Secretary/Treasurer at a salary of \$18.00 an hour with benefits and with a 90-day probationary period. Motion carried unanimously.

There being no further business to come before Borough Council, Cl'm Dudley moved, seconded by Cl'm Halstead to adjourn the meeting at 9:36 P.M. Motion carried unanimously.

Respectfully Submitted,
Patricia Bowers
Secretary