

Newport Borough Council
August 16, 2022
Regular Meeting Minutes

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

Others Present – Solicitor William Dissinger, Engineer Phil Brath, Streets Supervisor Cody Harris, Frank Campbell, Luke Roman, David Nadu, Karen Gabel, Scott Trout, and Cindy Martin.

Cl'm Halstead led the Pledge of Allegiance.

President Frownfelter announced the meeting is being recorded.

Agenda Amendment - Cl'm Fickes moved, seconded by Cl'm Dudley to amend the agenda to allow for discussion on 5th street project. Motion carried unanimously.

Approval of Minutes – Cl'm Dudley moved, seconded by Cl'm Bucher to approve the July 5, 2022, Regular Meeting Minutes as drafted. Motion carried.

July 5, 2022, Meeting Minutes – President Frownfelter recommends amending the minutes from the July 5th meeting to remove statements about employee performance. Cl'm Dudley moved, seconded by Cl'm Bucher.

Guest - Karen Gabel and Scott Trout representing the Incarnation United Church of Christ reported to the Borough that the property at 47 North 4th Street has been experiencing water back up in toilets and basement. The church has experienced this consistently during heavy rains over the past 3 years. The Church has been told by the Borough during that time that the responsibility falls upon the church to investigate and find a solution. Gabel stated that requests for assistance were made on numerous occasions and would like the Borough engineer to act. Video was shown to Council displaying water coming up through the toilet. Gabel is looking to hire a lawyer and/or contact ABC27 if needed. Cl'm Halstead declared that water coming through the toilet would be sewer back up and inquired into any problems with storm water at the property. Gabel could not say. Engineer Phil Brath questioned if a dye test had been executed and if a backflow valve was in place. The test was completed, and the results were inconclusive. Gabel and Trout were unsure if a backflow valve was in place. President Frownfelter encouraged Gabel and Trout to attend the next monthly Sewer Authority meeting on Thursday, August 25, 2022, at 7:00pm. Engineer Brath could attend virtually to discuss the situation with the Sewer Authority's operator. Gabel agreed to attend the meeting.

Guest- David Nadu raised his concerns of excess water on Locust Street that runs behind his property. Water flows from the school parking lot onto Locust Street. During heavy rains, runoff overflows the storm drain on Locust running into his yard. He states he has witnessed water cresting sidewalks making it difficult for parents and children to drop off and pick up during the school hours. Suggestions of cutting the drain in half, having inlets closer together, raising the curb, and impervious blacktop were mentioned by Nadu. He questioned why there is no inlet at the intersection of Locust and Caroline Streets. Cl'm Halstead answered that there is a terracotta pipe that led to the inlet. Engineer Brath stated he has current inlets in that area that are being worked on to impact the issues faced by Nadu.

Brath explained that budgeting and funding regulations dictate what can be done currently between the Borough and the School Board. President Frownfelter states that Borough will invite the School's contactor to the Street Committee to discuss options.

Public Comment- Cindy Martin showed photos of puddles in her backyard. Martin says that the laying water is so high and frequent that a ramp is needed to access her personal shed. It is not known if the water is storm or sewage. Cl'm Fickes advised that Sewer Operator had investigated and reported that homes surrounding Martin's home are having similar experiences. Cl'm Fickes scheduled to visit with Martin on Thursday, August 18, 2022, for further inspection.

Engineers Report – Written report submitted

- **School Parking Lot/One Way Direction on Locust** - A new entrance and exit are shown by the car wash on Locust Street on the updated plans provided by the School. This seemingly replaced the required green space. Harris confirmed the parking lot will have a new entry/exit but could not comment on the green space. Cl'm Halstead stated that the school originally did not plan for the new drive. The School has requested to have their contractor mill and pave Locust Street from Caroline to the carwash and to have the Borough reimburse the School. Milling/paving Locust Street is not planned in 2022 but could be considered next year. A new stormwater is needed prior to paving.
- Council discussed reversing the one-way direction on Locust Street. The new entrance/exit installed by the School in the parking lot complicates this decision. Engineer did a desktop study and reported that the direction of the street can be changed. Cl'm Halstead asked if it could possibly raise a problem in a different area? A public hearing was recommended by Engineer Brath. Cl'm Dudley stated that traffic flowing toward the school could have people parking in the alley. Cl'm Shope noted turning onto Oliver Street could trigger for an issue. Attention was brought to the idea of a crossing guard that Cl'm Halstead said would be part of the discussion at the upcoming School Board meeting.
- **4-Way Stop** - President Frownfelter reported that the lack of a 4-way stops at Walnut and 4TH Street caused a recent accident. Cl'm Fickes stated that he will make it a priority to speak with Penn Dot to get the stops in place.
- **Project Delay** - Engineer Brath reported that he was contacted by PennDot and the project on 6th Street will be delayed about 3 years due to reconstruction that has not been completed by the Newport Water Authority. Cl'm Halstead commented that the grant is good for 4 years. The project will need to be split and restructured with additions added. In June of 2023 PennDot will complete roadconstruction on 4th Street from Market Street to the Bridge and later completing Market to 6th. Cl'm Fickes recommended notifying citizens of the delay. Engineer Brath stated that by cost sharing sewer, borough, and PennDot projects great savings can be collected. Part of the work can be completed prior to the repaving project.
- Concerns about placing stormwater in the old, combined sewer system are brought to the attention of council by Brath. He states that the 6" pipes and traps restrict the flow of water. The current plan is to install 8" storm pipe. Brath recommends increasing to 10" pipe to ensure the line can handle the flow of water. Cl'm Fickes announced that there is a broken pipe on 6th and Market Streets. Brath questioned if the current project monies cover repairs? While checking back he read off the listing which did not include piping. New quotes would need sought out. Cl'm Halstead recommended utilizing

a portion of \$8,000.00 in budgeted monies if approval is not given for additional grant funds. Cl'm Halstead moved, seconded by Cl'm Dudley to spend up to \$5,150.00 out of General Fund to proceed with stormwater project if not covered by grant.

Street's Report

- **Cody Harris**
 - o **Paint** - requested permission to buy (1), 5-gallon bucket of white paint at \$145.74 and (2) buckets of yellow at the rate of \$285.48, totaling \$431.22. Cl'm Fickes moved, seconded by Cl'm Dudley to purchase 3 gallons of paint at a total of \$431.22.
 - o **Vehicle Inspection** - Street trucks, a 2014 Ford F550 and a Ford 2002 Diesel were inspected two weeks ago at Mill Auto. Both vehicles needed repairs stated Harris. Streets crew preformed lighting work and replacement of wipers. They could also change the tires. Doing some work in house saved about a total of \$444.00 between both trucks. The original estimate for the 2014 was reduced to about \$1,160.00 and \$330.00 for the 2002. Cl'm Bucher moved, seconded by Cl'm Dudley to approve truck repairs.
 - o **Inlet** - Harris reported nearly all inlets have been cleaned. He made a list of those needing repair or replacements.
 - o **Daily Operations** - Re-sweeping and painting on 4th Street are finished and Streets crew would continue working around the school to prepare to the first day. Harris stated that painting, patching, and other maintenance will be done by Tuesday.
 - o Harris stated that daily tasks such as brush pick up, garbage, dirt, and mowing are being done.
 - o A plan to add leaf box and machine on in September. It may be sooner if it stays dry for the next 2 weeks.
 - o **Work hours** - A request by Harris to allow part-time employee Ron McNaughton to work in absence of another part-time employee while on vacation to complete workload. This is included in budgeted hours.
- **USDA Tractor Grant Application** - Secretary Tyteayanna Zimmerman reported an update to the USDA grant. Perry Power provided a quote of \$33,962.23 for tractor through Hoover Tractor. Quotes for The forks and brush will need to be obtained since they cannot be purchased through CoStars Program. Zimmerman declared that (3) letters of credit have been obtained by Orrstown, Pennian, and Landisburg banks. A listing of elected officials, 5-year audits, and signed PA PN Laws were prepared for USDA submission. Solicitor Dissinger will complete AD 1048 form and Legal Service Agreement.
- **Front Street Bank Clean up** - Cl'm Fickes recommends trimming be completed by Street crew at the bank on Front Street near the railroad. President Frownfelter recommended outsourcing if the Streets Dept does not have time to do it.
- **Inlet Inspection** - Cl'm Fickes revealed his plans to inspect a dipping inlet at Caroline and North Pine Streets.

- **Parking Signs** - A need for parking reinforcement on Market Street is needed. President Frownfelter brought the idea of painting curbs instead of utilizing double arrowed signs. Council unanimously approves curb painting.
 - o (3) no parking signs are needed for 4th and 6th Streets. Cl'm Dudley explained that parking code cannot be enforced if signage is not present.
- **Dumpster** - Cl'm Fickes reported problem solved regarding an additional dumpster being needed at the Borough shed.
- **Borough Shed Improvements** - Cl'm Fickes is overseeing shed clean up. Weeds will be pulled and sprayed. Area will be cleared out for additional space. Cl'm Halstead questioned where millings will be put when project starts. Cl'm Dudley states that Mill Auto and Steve Peters will allow for the Borough to dump millings onto their property. A comment by Cl'm Fickes explains that the project will begin on Monday, August 22, 2022.
- **Cracked Pipe** - Cl'm Fickes was informed of a cracked pipe at 5th Street influencing the storm project on Market Street.

Engineer Phil Brath checking in stating that the drain at Borough garage has been installed.

Solicitor's Report-

- **55 S Second St - Solicitor Dissinger** stated since no quotes from contractors to tear down property at 55 South Second Street. The Borough should plan to shore up the property instead. Cl'm Dudley was asked to head searching for more contractors.
- **112-114 Market Street** - Received a Letter of Intent for tax sale related to 112-114 Market Street. Dissinger founded that there are no liens from the Borough on these properties and the most that can be accomplished in making a promise not to bring about a lawsuit. President Frownfelter expressed that the Water Authority has discussed forgiving any liens on 112-114 Market. The Sewer Authority decision is pending.

Treasurer's Report - Newport General Fund Account balance was \$209,922.26. Outstanding bills presented for payment of \$6226.73. Estimated income is \$13,722.36. Liquid Fuels Account balance was \$68,796.70 with July interest of \$6.84. PIB Loan Account balance was \$136,041.40 with July interest of \$21.06. PLGIT Reserve Account balance was \$125,761.41 with July interest of \$172.06. PLGIT ARPA Fund balance was \$54,264.60 with July interest of \$60.82 and check from Amity Enterprises at \$17,680.00 for North Shrub Street storm repairs. PLGIT Paving project balance was \$200,405.00 with July interest of \$212.99. Secretary/Treasurer reported that there was also no P-Card activity for the month of July. Cl'm Shope moved, seconded by Cl'm Halstead to approve the Treasurer's Report as presented.

- **Record Retention** - Secretary Bowers requested permission to dispose of Sewer Revenue records from 2004-2014, Borough's General Fund and Payroll from 2011-2014. Cl'm Shope moved, seconded by Cl'm Bucher approving the disposal of Sewer records 2004-2014 and Borough General Fund and Payroll records 2011-2014. Motion carried.
- **Money Transfer** - Bowers recommends the transfer of ARPA funds at \$262.93 to PLGIT ARPA Fund account due to good return on interest. Cl'm Shope moved, seconded by Cl'm Halstead to approve transfer of \$262.93 of ARPA money to PLGIT ARPA Fund Account. Motion carried.

- **Steri-cycle** - A new vendor was found for the disposal of Borough paper recycling. Shred it, the current vendor will be paid until the contact ends with no extra charges.
- Cl'm Halstead moved, seconded by Cl'm Shope to approve the outstanding bills presented for payment in the amount of \$6,226.73 for the General Fund Account. Motion carried unanimously.

Finance/Grant Committee Report- Cl'm Butcher stated the RTP 2022 Grant in the amount of \$520,000.00 for the Curbs and Sidewalk from North 4th Street to Fickes Lane was submitted July 29, 2022. Cl'm Halstead moved, seconded by Cl'm Shope to ratify the submission on the RTP Grant at \$520,000.00. Motion Carried.

Code Enforcement Report- Cl'm Dudley presented her resignation from Code Officer position. President Frownfelter asked who is responsible for carrying out current and pending court dates. Solicitor Dissinger answered that the party who initiated the cases will need to follow through to complete. Cl'm Fickes moved, seconded by Cl'm Halstead to accepted Code Officer resignation.

- A questioned posed by President Frownfelter asked if Council wanted the Code Enforcement Officer position to remain at 20 hours per week? She additionally stated that there are grants available to assist in Code salaries. Cl'm Dudley stated that the position should eventually be increased to 40 hours due to possibility of the acceptance of inspections within the Rental Ordinance. Cl'm Halstead reminded that Borough is mid budget and recommends that Code hours stay as is until the end of the year. Cl'm Shope moved, seconded by Cl'm Dudely to advertise Code Enforcement Officer/Zoning Officer vacancy at 20-25 hours with pay based on experience.

Ordinance Committee Report- A recommendation was made by **Cl'm Zentichko** to add the element of sewer and storm separation within the Rental Property Ordinance. Solicitor Dissinger indicated that current ordinances in Millerstown and Central Township can be a positive model for the Borough.

- **Snow Emergency** - President Frownfelter raised that the current Vehicle and Traffic Ordinance's Temporary and Emergency Regulations does not enforce a plan to require residents relocate their vehicles. President Frownfelter adds that the possibility of a separate Snow Emergency Plan. Cl'm Halstead recommended including text about sidewalk shoveling.
- **Rental Ordinance** - Cl'm Zentichko asked Council for feedback on the Rental Ordinance and explained that there is still much to be accomplished. President Frownfelter stated that desire to the renters and the borough all while not penalizing landlords.

Playground Committee- Cl'm Halstead informed Council that the pricing on the playground equipment is no longer standing but a similar piece can be found. A quote will come soon. She added that any leftover funds can be utilized for 8' fencing at the tennis courts, and 6' at the girls' softball field along the 1st and 3rd baseline. The Borough would have to conduct a way for installation. SedaCog agreed to payment of ½ then issue a reimbursement.

- **PayEntry & Playground Hours** - Cl'm Dudley stated that the Borough has an additional computer where PayEntry can be set up so it can be used by everyone. Cl'm Halstead stated that she believes it is overkill for (6) employees. Coming in January it will capture PTO hours said Cl'm Dudley. President Frownfelter interjected with the importance trusting employees to clock in/out and allowing them to work independently. She continued stating that regularly scheduled playground hours worked outside of 14 weekly hours scheduled by part-time playground employee need to be approved. Cl'm Halstead informed that the additional hours are utilized for weeding, pavilion cleanings, and kitchen cleanings. These hours do not affect the budget negatively. She stated that extra duties are completed that have not been finished within the latest cleaning. President Frownfelter stated any as needed hours worked by any Borough employee are to be approved by her prior to clocking in despite what has been budgeted. When Cl'm Halstead is clocked in, she is an employee of the borough and subject to Council's oversight. Cl'm Fickes recommends utilizing the approval of hours in the event of a call off.

Mayor's Report- President Frownfelter announced that Mayor Campbell will not be contacting PennDOT to paint the curb at the bridge on 4th Street. Mayor Campbell has submitted a Letter of Intent to perform marriages and his intent to submit monthly report of the number of marriages and charges collected each month.

Old Business –

- **Secretary Bowers** reported that the Butz parking agreement has been received.
- **Municipal Authority Letter of Interest** - A Letter of Interest was submitted by Cl'm Dudley for the Municipal Authority Board. Moved by Cl'm Fickes, seconded by Cl'm Bucher for the acceptance of Cl'm Dudley to the Municipal Authority Board. Motion carried.
- **Comcast** - Cl'm Fickes expressed his request to table Comcast contract review until September meeting due to review of Franchise Agreement.

New Business-

- Cl'm Halstead explains that submission on projects to Picture Perry can be added to their comprehensive plan at no cost. September 30th, 2022 is the cutoff date. A packet will be sent recommendations, plans to review, and information about how to sign on. President Frownfelter added that a wide range of projects can be submitted. Cl'm Halstead stated a positive outcome can come from backing by Perry County. Cl'm Fickes moved, seconded by Cl'm Dudley to table Picture Perry decision until September meeting. Motion carried unanimously.
- **Assistant Secretary Resolutions** - President Frownfelter presented the recommendation to procure a resolution to make Tyteayanna Zimmerman Borough Secretary and Patricia Bowers Assistant Secretary. Secretary Bowers requested that she would like to be paid for the Labor Day holiday. Cl'm Shope, seconded by Cl'm Dudley to approve the resolution to make Tyteayanna Zimmerman Borough Secretary and Patricia Bowers Assistant Secretary. Motion carried.
- **Family Fun Day Resolution** - The resolution for place a banner over Market Street advertising Family Fun Day has been requested. Cl'm Halstead moved, seconded by Cl'm Dudley to approve Family Fun Day 2022 Resolution 11-22. Motion carried unanimously.

- **USDA Tractor** - Solicitor Dissinger received the Legal Service Agreement and the AD1048 to complete for USDA tractor grant/loan. Dissinger stated that a signature would need to be obtained before submitting. Cl'm Bucher moved, seconded by Cl'm Fickes to approve President Frownfelter to sign the AD1048 for the USDA Tractor. Motion carried.
- **Halloween Activities** - Cl'm Halstead suggested Trick or Treat night being Monday, October 31, 2022, from 06:00pn-08:00pm. Secretary Zimmerman added that the Lions Club requested the Halloween Parade date to be October 26th at 07:00pm with a rain date of October 27th. Cl'm Halstead moved, seconded by Cl'm Dudley to approve date of October 31, 2022, from 06:00pn-08:00pm for Trick or Treat night and October 26th or 27th for the Lion's Club Halloween parade. Motion carried unanimously.

Communications –

- Newport Borough Water Authority June 14, 2022, Meeting Minutes and Financial Report.
- Newport Borough Municipal Authority meeting minutes from June 23, 2022.
- PSAB Fall Leadership Conference Friday, October 14th – Sunday, October 16th.
- Perry County Tax Claim Bureau – Listing of properties scheduled for Upset Tax Sale on September 27, 2022.
 - We must respond by August 30, 2022, with any municipal claims against properties in the full amount.
- East Donegal Constable – Paul Castline
 - Highlights what the Pennsylvania State Constable can provide to the municipality.
 - Patrolling, Dog Law, and ordinance enforcement.
- Department of Environmental Protection
 - July 19, 2022- Submission of final plan for Chesapeake Bay Watershed
 - July 26, 2022- Mosquito protection
 - Elimination of stagnant water, cleaning of litter and gutters, insect replant.
 - DEP observes mosquito population and sprays to control it.
 - August 3, 2022- Grant funding available for environmental education projects
 - Webinar for more information held Tuesday, September 27, 2022, from 12:00pm-1:30pm.
 - Grant application deadline – Friday, December 9, 2022, by 4:59pm.
- Fire Company Donation

There being no further business to come before Borough Council, Cl'm Dudley moved, seconded by Cl'm Bucher to adjourn the meeting at 10:04 P.M. Motion carried unanimously.

Respectfully Submitted
Tyteayanna Zimmerman
Secretary

