

**NEWPORT BOROUGH COUNCIL  
REGULAR MEETING JULY 5, 2023  
MEETING MINUTES**

President Penny Frownfelter called the meeting to order at 7:00 PM with Borough Council Members: Mary Bucher, Christian Fickes, Tami Halstead, Jacob Zentichko, Billie Dudley present.

Greg Shope attended by phone.

**Absent:** Mayor Tice

**OTHERS PRESENT:** Newport Borough Secretary Shelly Damiano, Solicitor William Dissinger, Randy Waggoner & Darla McNaughton - Perry County Assessment Office, Jennifer Caron – Eckert Seamans Attorneys At Law, Frank Campbell – Newport Revitalization & Preservation Society, Inc., Luke Roman – Perry County Times, Barbara Leach,

**Absent:** Engineer Phillip Brath

President Frownfelter led the Pledge of Allegiance.

President Frownfelter announced that the meeting was being recorded.

**AMENDMENT TO JULY 5, 2023 AGENDA:**

**MOTION:** Cl'm Shope moved, seconded by Cl'm Dudley to amend the July 5, 2023 Agenda as follows:

- 1) Sink Hole at 6<sup>th</sup> & Oliver
- 2) Communications: Newport Borough Planning Commission Meeting Minutes

Motion carried unanimously.

**APPROVAL OF THE MINUTES:** June 6, 2023 Regular Meeting Minutes.

**MOTION:** Cl'm Fickes moved, seconded by Cl'm Dudley to approve the June 6, 2023 Meeting Minutes as presented. Motion carried unanimously.

**GUESTS:** Randy Waggoner & Darla McNaughton, Perry County Assessment Office: Reassessment Presentation:

Vision Government Solutions has been contracted to perform reassessments in Perry County. A Reassessment Notification that would state that a data collector has visited a property was presented along with project timeline information. The assessment office wants to improve transparency that would benefit the system as well as have property owners treated fairly. Data collectors will have 2 weeks training and be in communication with the 911 Center. Data collectors will have the word VISION on vest sleeves and carry photo ID. July 17-21, 2023 the data collectors will be in Newport and take photos of the 4 sides of dwellings and each outbuilding but will not be allowed in any dwelling. Questions can be referred to the Assessment Office. The 2024 Budget will not be affected.

Millage Equalization and Budgeting will take place November – December 2025. Setting the millage rate to a Revenue Neutral Tax Rate is a multi-step process. New rates would be effective January 1, 2026.

**GUEST:** Jennifer Caron: PA Local Government Debt: USDA Water Authority Bond Guarantee Ordinance: Newport Borough guarantees the \$5,000,030.00 Bond and the interim loan is paid off. The Water Authority is Self-liquidating, which means their revenues on their own are sufficient to pay the debt and will not count against Newport Borough's activities. Closing would be in mid to late August, 2023. Loan: 1.125%, 50-year debt consolidation and new money projects. USDA must pre-approve all expenditures; enough to fix Well 1.

Council Concerns: Cl'm Fickes questioned the actual amount that has been repaid from the previous loan. Cl'm Zentichko asked about the Debt Service. This was approved 2 years ago. Comment from Barbara Leach, a former Council member, responded she was on council when she went through this the last time the water authority was bailed out. Cl'm Halstead was concerned about debt consolidation and borrowing more money in the future for

additional projects. Jennifer Caron had stated that the Guaranteed Water Revenue Bond, Series of 2023, was already advertised, but Cl'm Halstead questioned how was the bond advertised if it was not approved by council first.

**MOTION:** Cl'm Zentichko moved, seconded by Cl'm Dudley to approve the Guaranteed Water Revenue Bond, Series of 2023, 14.125% loan interest rate, 50-year debt consolidation and new money projects.

**ROLL CALL VOTE:** (4) Yea's: Cl'm Frownfelter, Cl'm Dudley, Cl'm Bucher, Cl'm Zentichko  
(3) Nea's: Cl'm Fickes, Cl'm Halstead, Cl'm Shope.  
Motion carried.

**PUBLIC COMMENT:** Barbara Leach (former Council member): Concerns over the proposed N. 2<sup>nd</sup> Street Sidewalk Drawings Project. These include the ordinances concerning private property, Planning Commission involvement, Council approval needed, and the Disability Act prohibiting colors or surfaces made to make slippery.

112/114 Market Street will be in a Judicial Sale, possibly in August. Leans not established.

Frank Campbell: Discover Newport Food Truck Festival invitation to attend on Saturday, July 8<sup>th</sup> from 10 am – 3 pm. Jasmine from the Council of the Arts will be looking at the safety and disability issues.

Council Concerns: Cl'm Bucher questioned if some residents say yes and some residents say no, can the project be staggered, and houses skipped. Cl'm Frownfelter questioned the longevity of the paint. Cl'm Shope questioned how the paint would be refreshed when needed.

Residents: 16 did not answer, 13 said yes, and 5 said no.

**SOLICITOR:** Solicitor Dissinger: 1) Commented that the Water Authority Bond 1.125% interest rate would benefit the water authority. 2) No closing documents on the Tractor Loan. 3) Demolition of 55 S. 2<sup>nd</sup> Street will need to have the solicitor as the legal authorized representative to sign documentation. 4) Storm Water Ordinance: solicitor wanted to revisit and proceed by having Engineer Phil Brath review the Subdivision/Land Development Ordinance for sub-standard, outdated provisions and language . Not required as the borough is not a MS4. The solicitor can write a Stand-Alone Storm Water Ordinance and then move it to the Ordinance Committee. Models can be provided due to Solicitor Dissinger completed one for Millerstown and Engineer Brath completed one for Center Township.

**ENGINEER'S REPORT:** Phillip Brath, Gibson-Thomas: No Report

**STREETS COMMITTEE REPORT:** Cl'm Fickes

1. USDA Tractor Loan – Received USDA Approval Letter. Loan: 5-year term, \$28,800 for a Community Facilities Loan and \$15,040 Community Facilities Grant.
2. Streets to be paved – A spreadsheet was presented with the estimated formula cost of streets to be paved: \$39,621.54. Liquid Fuels could cover the difference in cost.  
Streets: Pine Street (Mulberry to Cemetery); Peach Street (Caroline to Terror Farm); Catherine Street (4<sup>th</sup> to 3<sup>rd</sup>); Catherine Street (3<sup>rd</sup> to 2<sup>nd</sup>); Catherine Street (2<sup>nd</sup> to Penn Avenue); Spruce Street (Oliver to Walnut); Spruce Street (Walnut to Market)  
Council Concerns: Cl'm Dudley – Front Street will cost a lot of money to redo. Cl'm Halstead – Low volume roads could be tar and chip. Cl'm Zentichko – Ticket Booth issues on Peach, Terror Farm, and Park. Also 2<sup>nd</sup> Street, Mulberry to Bridge was discussed.  
Cl'm Fickes will get measurements for millings/tar & chip for a temporary base coat.

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Zentichko to approve the roads, as listed on the spreadsheet presented, for paving. Motion carried unanimously.

**MOTON:** Cl'm Dudley moved, seconded by Cl'm Fickes to approve paving Driving Lanes on S. 2<sup>nd</sup> Street from Mulberry to the Bridge, up to \$30,000. Motion carried unanimously.

**MOTON:** Cl'm Dudley moved, seconded by Cl'm Halstead to advertise for bids on paving. Motion carried unanimously.

**MOTON:** Cl'm Shope moved, seconded by Cl'm Dudley to purchase 3 Seal Master white paint and 3 Seal Master yellow paint: \$146 x 6 containers = \$876. Motion carried unanimously.

**MOTON:** Cl'm Dudley moved, seconded by Cl'm Shope to approve additional cost associated with removal of 2 maple trees (\$2,875.00) on S. 4<sup>th</sup> Street by I.M. Good Tree Service due to traffic control/flaggers for 2 days (\$2,305.18) and stump grinding/use of skid loader (\$1,200.00). Total cost of tree removal \$6,380.18. Motion carried unanimously.

**MOTON:** Cl'm Halstead moved, seconded by Cl'm Fickes to approve Temporary Street Closure Application as presented.

**ROLL CALL VOTE:** (4) Yea's: Cl'm Fickes, Cl'm Halstead, Cl'm Shope, Cl'm Zentichko  
(3) Nea's: Cl'm Frownfelter, Cl'm Dudley, Cl'm Bucher.  
Motion carried.

3. Discussion on the proposed Tree Removal Permit Policy. Council members wanted to know why the policy is needed. Cl'm Halstead stated this would help protect the borough for insurance purposes. Cl'm Fickes tabled for the Shade Tree/Planning Commission to review the document
4. Handicap parking was removed on Penn Avenue.
5. 6<sup>th</sup> & Oliver had a sink hole that needed emergency repair.

**MOTON:** Cl'm Dudley moved, seconded by Cl'm Fickes to authorize Kirby Kitner to fix pipe and manhole at the sink hole location. Motion carried unanimously.

**TREASURER'S REPORT FOR JULY:** Treasurer Damiano

Treasurer Damiano read a preliminary Treasurer's Report due to the bank statement not reconciled as of the date of the council meeting. Will update report and re-submit to council for final approval. Newport Borough General Account balance July 1, 2023 was unavailable. Deposits as of July 3, 2023 totaled \$31,331.80. Outstanding bills presented for payment of \$6,222.99. Estimated income for the balance of July is \$24,000.00. Estimated expenses for the balance of July of \$27,375.74 that will leave an estimated balance unknown at this time. Liquid Fuels Account balance June 1, 2023: \$96,614.03. June Interest: \$34.10 leaving a balance of \$96,648.13 as July 1, 2023.

Balances: Reserve Account \$130,605.38; Paving Account \$39,621.54; ARPA Funds \$130,382.45 = \$300,609.37

**MOTON:** Cl'm Fickes moved, seconded by Cl'm Dudley to approve the July Treasurer's Report. Motion carried unanimously.

**APPROVAL OF THE JULY BILLS TO DATE:** Treasurer Damiano

**MOTON:** Cl'm Bucher moved, seconded by Cl'm Dudley to approve June bills to date, including the invoice from DOLI Construction in the amount of \$50,405.00 for stormwater work done on Market Street and 4<sup>th</sup> Street payable to Newport Borough Municipal Authority from ARPA funds. Motion carried unanimously.

**CODE ENFORCEMENT REPORT:** Officer Tice reported: 19 code warnings, 1 \$25 code fine, . A nuisance property continues to be out of compliance and is moving forward to citation for unpaid fines. Code warnings and tickets were issued. Parking tickets were issued. Three zoning permits were issued.

**ORDINANCE COMMITTEE REPORT:** Cl'm Zentichko reported that the Ordinance Committee was working on the Rental Ordinance. Cl'm Frownfelter asked who had read the Rental Ordinance. After the proposed ordinance is read and commented on by Councilmembers, the Rental Ordinance will be reviewed by the ordinance committee.

**PLAYGROUND COMMITTEE REPORT:** Cl'm Halstead reported the new softball fence, and new pickleball fence installation has been completed. The grant also included the purchase of 3 new grills, new swings, and a tot lot piece of equipment. There were about 12 volunteers who worked over a 3-week period to complete the projects. Cl'm Halstead would like to send out thank you cards to all those instrumental in helping complete the project.

There were two incidents at the park where individuals were starting campfires. The incidents are being investigated by PSP.

**FINANCE COMMITTEE REPORT:** Cl'm Bucher: Discussion with council members concerning Solar Grant options for pedestrian signs. Cl'm Halstead suggested looking into a grant with no match. Potential financial funding sources from MTF and/or ARLE. The school would not own the pedestrian signs the Borough would purchase with grant funds. Cl'm Halstead spoke about the \$130,000 CDBG she had submitted on June 5 which would be for the matching funds for the second phase HATS RTP Grant for the Curb and Sidewalk project on SR849, which is North 4<sup>th</sup> Street.

**MAYOR'S REPORT:** Mayor Tice was absent, and no report was given by him. President Frownfelter would like a written report for future council meetings from the Mayor, especially when he cannot attend the meeting.

**OLD BUSINESS:**

**55 S 2<sup>nd</sup> Street Demolition Quotes**-Cl'm Fickes confirmed, as per May 2, 2023, Newport Council Meeting Minutes, that Kirby Kitner Excavating was awarded the contract for \$13,100 to demolish 55 S 2nd Street, Newport. ARPA funds will be used for payment and a lien will be placed on the property. Council needs to check on ownership of the property as there has been no response from the owner of said property, and all taxes and utilities are paid up to date. Need to confirm the demolition permit requirements due to the Borough not owning the said property.

**Discussion to remain in the NFIP program** - Tabled

**Street Closure Policy** – Still being formatted.

**Tree Removal Permit Policy** – Still being formatted.

**Mileage for Employees Using Personal Vehicles to Attend Training Classes** – Current IRS mileage reimbursement rate is 65.5 cents per mile, effective January 1, 2023.

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Zentichko to pay mileage, as per IRS prevailing standard mileage rate as of date of travel, to employees who use their personal vehicle to attend training classes for the Borough. Motion carried unanimously.

**Stericycle/Shred-It** – Treasurer Damiano investigating the past due balance of \$731.57 from Stericycle for errors. The Borough may not owe what is being stated. She will give an update at the next council meeting in July.

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**NEW BUSINESS:**

**MOTON:** Cl'm Halstead moved, seconded by Cl'm Bucher to ratify the approval of payment to Security Fence Company for invoice # F231514-IN in the amount of \$15,075 (Ck #31996) for fence for Veterans Memorial Park and to submit for reimbursement from the CDBG-Covid Grant. Motion carried unanimously.

**MOTON:** Cl'm Halstead moved, seconded by Cl'm Zentichko to ratify Felicia Summy working temporarily at Veterans Memorial Park for \$12.00 per hour starting May 15, 2023. Motion carried unanimously.

Treasurer Damiano will check with Orrstown Bank to confirm their proposed Shred It Day on June 29 and their need for no parking spaces in front of the bank. Consensus from Council was that the bank has a back parking lot to use for their event.

**MOTON:** Cl'm Shope moved, seconded by Cl'm Fickes to approve Resolution #10-23 to remove Tyteayanna Zimmerman from all Orrstown Bank Accounts and Safety Deposit Box access. Motion carried unanimously.

**MOTON:** Cl'm Shope moved, seconded by Cl'm Fickes Resolution #11-23 to add Shelly Damiano to all Orrstown Bank Accounts and Safety Deposit Box access. Motion carried unanimously.

**MOTON:** Cl'm Fickes moved, seconded by Cl'm Zentichko to ratify the USDA Loan for a 5-year term, \$28,800 loan, \$15,040 grant, and \$460 applicant contribution. Motion carried unanimously.

**Perry County Association of Township Officials County Convention:** The convention will be held Saturday, September 9, 2023, at Perry County Fairgrounds. The cost is \$20.00 per person, paid for by the Borough. Registration form and payment is due by July 19, 2023. This will be due by the next council meeting on Wednesday, July 5, 2023.

**MOTON:** Cl'm Halstead moved, seconded by Cl'm Fickes for approval of Shelly Damiano and Pat Bowers to have online viewing access only to Orrstown Accounts Statements. Motion passed unanimously.

Perry County Assessment Office would like to attend a future council meeting to give an overview of the county tax reassessment project and its timeline. Secretary Damiano will take care of scheduling the Guest, possibly for the next Council Meeting on Wednesday, July 5, 2023.

**MOTON:** Cl'm Shope moved, seconded by Cl'm Fickes to grant Secretary Treasurer Shelly Damiano approval to attend the PSATS Secretary/Administrator Summit Monday, June 12, 2023, Centre County with a registration fee of \$175.00 non-member.

**EXECUTIVE SESSION:** Legal Matter. Cl'm Fickes moved, seconded by Cl'm Bucher, to go into executive session at 8:38 PM for a legal matter. Motion carried unanimously. Cl'm Fickes moved, seconded by Cl'm Halstead to come out of executive session at 8:54 PM. Motion carried unanimously. No Actions taken.

**COMMUNICATIONS:**

- (1) Newport Borough Water Authority Major Permit Modification Well #1
- (2) St Matthew Lutheran Church Community Events: Community Theatre June 19 and Vacation Bible School July 10-11.
- (3) Movie Night in the Park

- (4) TASA Multimodal Grant
- (5) Water Authority Minutes and Financial Report

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**NEXT MEETING DATE:** July 5, 2023, at 7:00 PM

**JUNE COMMITTEE MEETINGS:** ORDINANCE COMMITTEE: June 19, 2023 at 6:00 PM; FINANCE COMMITTEE: June 20, 2023 at 6:00 PM; STREET COMMITTEE: June 27, 2023 at 6:00 PM; PLAYGROUND COMMITTEE: None

**ADJOURNMENT:** Cl'm Halstead moved, seconded by Cl'm Bucher to adjourn at 8:54 PM. Motion carried unanimously.

Respectfully Submitted,

Shelly Damiano,  
Secretary/Treasurer