

**NEWPORT BOROUGH COUNCIL
REGULAR MEETING JUNE 6, 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, Greg Shope, and Jacob Zentichko present.

Absent: Borough Council Member, Billie Dudley and Mayor Tice.

OTHERS PRESENT: Newport Borough Secretary Shelly Damiano, Solicitor William Dissinger, Engineer Phillip Brath, Frank Campbell, Sandy Jeneski, Lorri McNaughton, Cheryl Miller, Rick Miller, and Jimmy Kenner.

President Frownfelter led the Pledge of Allegiance.

President Frownfelter announced that the meeting was being recorded.

APPROVAL OF THE MINUTES: May 2, 2023 Regular Meeting Minutes.

MOTION: Cl'm Halstead moved, seconded by Cl'm Fickes to approve the May 2, 2023 Meeting Minutes as presented. Motion carried unanimously.

GUEST: Frank Campbell; Reported on the Main Street Committee's efforts with Spring Clean Up. He gave a public thank you for a successful Spring Cleanup that was held on Saturday, May 6, 2023, and that there was a great turnout for the Block Party that was held at the Square on Saturday, June 3, 2023.

The Main Street Committee would like to start an Annual Pickleball Tournament on Saturday, September 23, 2023, on the North end of the Square. The actual event would be from 9 am – 3 pm but set up would begin at 7 am and cleanup would be until 4 pm. Three (3) temporary pickleball courts would each be marked with tape 20' x 44' in size and a small square would be painted on the road. Orange fencing would be used and a small stage for the announcer would be set up. Six (6) food trucks would participate in the event as well.

Discussion on proposed Pickleball Tournament: Cl'm Jacob Zentichko had concerns that there were too many events in one month with Canal Days being only 14 days away on Saturday, October 7, 2023. The comment was made that the playground does have 2 pickleball courts on the tennis court and could there be a grant to turn the tennis court into a pickleball court. Another comment was that Penn Avenue is not conducive to the event logistics. Cl'm Halstead commented should there be consideration of limiting the number of events held in a month but replies resounded no as events help local businesses. There were concerns over traffic flow.

MOTION: Cl'm Bucher moved, seconded by Cl'm Shope to authorize the closure of North 2nd Street from Market Street to Dock Street on Saturday, September 23, 2023 from 7 am – 4 pm for the 1st Annual Pickleball Tournament. Motion carried with Cl'm Zentichko dissenting.

PUBLIC COMMENT: Lorri McNaughton, owner of Carpet Baggers: Inquired about the No Loitering Ordinance due to individuals currently staying at the 2nd Street Women's Shelter gathering in the downtown square with blankets and pillows on the sidewalk disrupting businesses, sitting on porches, and leaving trash in buildings. Customers are afraid and concerned over the smoking of pot and/or crack in public and vehicles coming and going all hours of the day and night. Lorri stated she spoke with the YWCA who runs the shelter and they responded that they cannot do anything about what happens outside of the shelter building. Lorri also spoke with the Code Enforcement Officer, Michelle Tice, about this problem and now Lorri, being a business owner on the square, is looking for guidance on how to handle this problem. Cl'm Halstead stated to call the State Police and President Frownfelter added that sidewalks are public, but if someone is blocking a business entrance, they may be asked to leave. Solicitor William Dissinger stated that if a person refuses to leave when on a porch or business entrance, the owner

will need to call the police with a harassment complaint due to the person becoming a defiant trespasser. Response was that tickets may not be a deterrent. No trespassing and/or no loitering might help as customers are going the long way around to avoid the situation. A public comment response asked to send a letter to the YMCA

instead of signs concerning the amount of time or people at the YMCA shelter. Cl'm Halstead asked about the YMCA being a residency vs being a business as 1.50 parking spots are needed per tenant. Solicitor Dissinger reiterated that if a person refuses to leave when on a porch or business entrance, the owner will need to call police with a harassment complaint due to the person becoming a defiant trespasser.

PUBLIC COMMENT: Sandy Jenesi stated she was here to observe.

SOLICITOR: Solicitor Dissinger asked if Council wanted to replace the sub-division ordinance as it is related to the storm water ordinance or did council want it to be a stand-alone ordinance. Are the regulations for the storm water plan sufficient or does it need to be updated? Are the current zoning regulations and the current sub-division ordinance sufficient? Engineer Phillip Brath will review the Sub-Division Ordinance as it applies to sub-divisions. The Engineer also commented that the Borough is not an MS-4 (municipal separate storm sewer system) rating. The Engineer agrees that a stand-alone ordinance will create a need for more time to manage the requirements of the ordinance and, thus, more financial resources will be required. President Frownfelter stated a need to do something. Cl'm Zentichko will review the Sub-Division Ordinance and the Storm Ordinance. He commented they were working on the Emergency Management Ordinance and had to check State Laws related to Emergency Management.

ENGINEER'S REPORT: Phillip Brath, Gibson-Thomas

- HATS RTP-Curbs and Sidewalks Improvements on SR0034-The let date is June 15, 2023, and is on schedule and the project will begin approximately two months later. There are two trees that need to be removed on the upper side of S 4th Street and PENNDOT wants them removed before the project starts. Cl'm Fickes will present the 3rd tree removal quotes under the Streets Committee Report. Letters must be sent to property owners to get permission to enter their property. Cl'm Halstead will mail the letters to the property owners. SR0034 between Catherine Street and Mulberry Street will be a complete reconstruction with new curbs and sidewalks. A grassy beauty strip will be created on the upper side of 4th Street between Catherine Street and Mulberry Street.
- South 5th Street from Market Street to Mulberry Street-Phil stated that water and sewer is wrapping up their portion of the project. The Borough currently does not have adequate funds to put the project out for bids.
- Market Street Sidewalks-Schematics have no curbs because PENNDOT will be constructing the curbs when they do a total reconstruction of Market Street in the upcoming future. PENNDOT will remove the existing curbs at that time and replace them with all new curbs. This Borough project we will do this summer is for sidewalks only that will be constructed, and some areas will have a grass beauty strip placed as needed along the sidewalks. The funding for the Market Street sidewalks will be the remaining \$56,000 of the CDBG 2020 grant. Phil will verify with SEDA-COG that all the standards are met to fulfill the CDBG Bidding requirements and Section 8 requirements.

MOTON: Cl'm Halstead moved, seconded by Cl'm Shope to approve the Market Street Sidewalk Project to be put out for bids contingent upon the bid documents meeting the CDBG requirements. Motion carried unanimously.

STREETS COMMITTEE REPORT: Cl'm Fickes

1. USDA Tractor Loan Update-Cl'm Halstead reported the loan documents have been submitted and nearing completion. The term of the loan is a 5-year term, \$28,000 in loan, \$15,040 in grant, and \$460 applicant fee.
2. Tree Removal Quotes -
 - a) ABC Tree Monkeys: \$6,500.00 (using a crane) + \$1,200 (stump grinding) = \$7,700.00 (no traffic control included)
 - b) Timber & Beyond: \$3,750 + \$650.00 (traffic control) = \$4,400
 - c) I.M. Good Tree Service, LLC: \$2,875 + \$1,275 (traffic control) = \$4,150

There were concerns over whether the Borough has the equipment and training to flag to save flagging fees.

MOTON: Cl'm Halstead moved, seconded by Cl'm Shope to approve I. M. Good Tree Service to remove 2 maple trees in front of 140 South 4th Street, which includes hauling away of wood and brush and traffic control in the amount of \$4,150.00. Motion carried unanimously.

Streets Committee Report: Supervisor Harris: Cl'm Fickes

1. The 2013 GMC failed inspection due to holes in the bed that will cost \$1,500.00 to weld the holes by Mill Auto. This was tabled so Cl'm Shope can look at the truck.
2. The 2002 diesel truck needs 2 new batteries.

MOTON: Cl'm Bucher moved, seconded by Cl'm Halstead to purchase 2 new batteries for the 2002 diesel for \$316.00. Motion carried unanimously.

TREASURER'S REPORT FOR JUNE: Treasurer Damiano

MOTON: Cl'm Halstead moved, seconded by Cl'm Zentichko to approve the Gibson Thomas Engineering Invoices for the curbs and sidewalks from PLGIT ARPA Funds in the amount of \$8,873.50. Motion carried unanimously.

MOTON: Cl'm Halstead moved, seconded by Cl'm Fickes to approve the Cupps Insurance Agency Inc. invoice for Treasurer Damiano's bond in the amount of \$350.00. Motion carried unanimously.

Treasurer Damiano read the Treasurer's Report prepared jointly with Assistant Treasurer Patricia Bowers. Newport Borough General Account balance June 1, 2023 was \$195,015.16. Deposits made June 1, 2023 totaled \$15,947.63. Outstanding bills presented for payment of \$10,087.13. Estimated income for the balance of June of \$10,000.00. Estimated expenses for the balance of June of \$26,141.74 will leave an estimated balance of \$184,733.92. Liquid Fuels Account balance June 1, 2023 is \$98,310.48. Outstanding bills presented for payment of \$1,696.45 will leave a balance of \$96,614.03.

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

APPROVAL OF THE JUNE BILLS TO DATE: Treasurer Damiano

MOTON: Cl'm Halstead moved, seconded by Cl'm Bucher to approve June bills to date. Motion carried unanimously.

CODE ENFORCEMENT REPORT: Officer Tice reported 5 warnings were unresolved. 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. One zoning permit was 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 4th 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 2nd 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.

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

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