

**NEWPORT BOROUGH COUNCIL  
REORGANIZATION AND REGULAR MEETING  
January 2, 2024**

Mayor Tice called the meeting to order at 7:00 pm.

Mayor Tice led the Pledge of Allegiance.

Mayor Tice announced that the meeting was being recorded.

**OATH OF OFFICE:** Mayor Stephen Tice

Mayor Stephen Tice administered the Oath of Office to Penny Frownfelter, Greg Shope, and Barbara Leach.

**Absent:** Mary Bucher

**ROLL CALL FOR ATTENDANCE OF COUNCIL:** Mayor Tice

Mayor Tice asked for a Roll Call for attendance of council.

Borough Council Members present:

Billie Dudley, Christian Fickes, Penny Frownfelter, Tami Halstead, Greg Shope, and Barbara Leach

**Absent:** Mary Bucher

**OTHERS PRESENT:** Newport Borough Secretary Shelly Damiano, Solicitor Bill Dissinger

Luke Roman-Perry County Times and Gwen Smith

**NOMINATIONS FOR PRESIDENT OF COUNCIL:** Mayor Tice

Mayor Tice asked for Nominations for President of Council.

Cl'm Halstead nominated Christian Fickes

Cl'm Dudley nominated Penny Frownfelter

Cl'm Fickes nominated Greg Shope

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Dudley to close nominations for President of Council.

Motion carried.

Christian Fickes: Roll Call for President of Council

**Yeas:** Cl'm Halstead, Cl'm Leach, Cl'm Shope = 3

**Neas:** Cl'm Dudley, Cl'm Fickes, Cl'm Frownfelter = 3

**Tie Breaker:** Mayor Tice: Nea

3 Yeas and 4 Neas. Nomination fails.

Penny Frownfelter: Roll Call for President of Council

**Yeas:** Cl'm Dudley, Cl'm Frownfelter = 2

**Neas:** Cl'm Fickes, Cl'm Halstead, Cl'm Leach, Cl'm Shope = 4

2 Yeas and 4 Neas. Nomination fails.

Greg Shope: Roll Call for President of Council

**Yeas:** Cl'm Fickes, Cl'm Frownfelter, Cl'm Halstead, Cl'm Leach = 4

**Neas:** Cl'm Dudley, Cl'm Shope = 2

4 Yeas and 2 Neas. Nomination carries.

Mayor Tice announced Greg Shope as the President of Council.

**NOMINATIONS FOR VICE PRESIDENT OF COUNCIL:** Mayor Tice

Mayor Tice asked for Nominations for Vice President of Council.

Cl'm Halstead nominated Christian Fickes

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Leach to close nominations for Vice President of Council.  
Motion carried.

Christian Fickes: Roll Call for Vice President of Council

**Yeas:** Cl'm Dudley, Cl'm Fickes, Cl'm Frownfelter, Cl'm Halstead, Cl'm Leach, President Shope = 6

**Neas:** None

Mayor Tice announced Christian Fickes as the Vice President of Council.

Mayor Tice turned the meeting over to Greg Shope, President of Council.

**APPOINTMENTS**

1. **SOLICITOR:** Cl'm Halstead moved, seconded by Cl'm Dudley, to appoint William Dissinger as Solicitor.  
Motion carried.
2. **RIGHT-TO-KNOW OFFICER:** Cl'm Halstead moved, seconded by Cl'm Fickes, to appoint Shelly Damiano as the Right-To-Know Officer. Motion carried.
3. **ENGINEER:** Cl'm Frownfelter moved, seconded by Cl'm Fickes, to reappoint Gibson-Thomas as the Engineer. Motion carried.
4. **SECRETARY/TREASURER:** Cl'm Halstead moved, seconded by Cl'm Frownfelter, to reappoint Shelly Damiano as Secretary/Treasurer. Motion carried.
5. **AUDITOR:** Cl'm Halstead moved, seconded by Cl'm Frownfelter, to reappoint SEK as Auditor.  
Motion carried.
6. **ZONING SOLICITOR:** Cl'm Frownfelter moved, seconded by Cl'm Dudley, to reappoint James Turner as Zoning Solicitor. Motion carried.
7. **ZONING OFFICER:** Cl'm Dudley moved, seconded by Cl'm Frownfelter, to reappoint Michelle Tice as Zoning Officer. Motion carried.

**BANK RESOLUTION NO. 01-24**

**MOTION:** Cl'm Frownfelter moved, seconded by Cl'm Dudley to Adopt Resolution No. 01-24 to Authorize Council Members for all Bank Accounts and Safety Deposit Box at Orrstown Bank, and to Add a New Council Member and Remove a Past Council Member. Motion carried.

**BOARD APPOINTMENTS**

1. **WATER AUTHORITY:** Cl'm Frownfelter moved, seconded by Cl'm Fickes to reappoint Daniel Barlup to the Water Authority. Motion carried.
2. **MUNICIPAL AUTHORITY:** Cl'm Frownfelter moved, seconded by Cl'm Dudley, to appoint Tim Seiber to the 3-year term to fill the vacancy of Carl Roush on the Municipal Authority. Motion carried.
3. **MUNICIPAL AUTHORITY:** Cl'm Frownfelter moved, seconded by Cl'm Dudley, to appoint Ricky Miller to a 5-year term to the Municipal Authority. Motion carried.
4. **PLANNING COMMISSION:** No letters of interest.
5. **ZONING HEARING BOARD:** Cl'm Frownfelter moved, seconded by Cl'm Dudley, to reappoint Paddi Sharar to the Zoning Hearing Board. Motion carried.
6. **VACANCY BOARD:** No letter of interest.

**ORGANIZATION REPRESENTATIVES' APPOINTMENTS**

1. CAPITAL TAX BUREAU: Cl'm Dudley moved, seconded by Cl'm Fickes, to reappoint Penny Frownfelter as representative to Capital Tax Bureau. Motion carried.
2. PERRY COUNTY BOROUGH ASSOCIATION: Cl'm Fickes moved, seconded by Cl'm Dudley, to reappoint Cl'm Halstead to the Perry County Boroughs Association. Motion carried.
3. PERRY COUNCIL OF GOVERNMENTS: Cl'm Frownfelter moved, seconded by Cl'm Leach, to appoint Billie Dudley to the Perry Council of Governments. Motion carried.

**COMMENCE NEWPORT BOROUGH COUNCIL REGULAR MEETING**

**AMENDMENTS TO THE AGENDA:** None

**APPROVAL OF THE MINUTES:** December 5, 2023 Regular Meeting Minutes and December 19, 2023 Mid-Month Meeting Minutes.

**MOTION:** Cl'm Frownfelter moved, seconded by Cl'm Dudley to approve the December 5, 2023 Regular Meeting Minutes and the December 19, 2023 Mid-Month Meeting Minutes. Motion carried.

**GUESTS:** None

**PUBLIC COMMENT:** None

**SOLICITOR:** Solicitor Bill Dissinger  
Nothing to add.

**ENGINEER'S REPORT**

Not present. No report submitted.

No additional comment on the new 2024 Engineer Fee Schedule.

**STREETS COMMITTEE REPORT:** Cl'm Fickes/Supervisor Harris

1. Discussion on Ridge Street overgrown vegetation and refuse dumping.  
Who owns the property? Cl'm Frownfelter stated that the Water Authority does not own the property. Cl'm Halstead suggested getting a copy of the deed.  
Is the property in Newport Borough or Oliver Twp? One map indicates the property is in the borough and another map indicates the property is not in the borough. The solicitor commented an Agreement to Address this is an option with neighboring Oliver Twp.  
Who is responsible for cleanup: Borough Streets Department or property owners? Cl'm Fickes will speak with Joe Baker and Ralph Lesh.
2. The Streets Department will assist the fire company in taking down the tree on Sunday, January 7, 2024, but might be unavailable with a potential snowstorm coming on Saturday, January 6, 2024.
3. The decision was made to take down the snowflake lights the week of January 15, 2024.
4. Cl'm Leach wanted to know who puts the plants in the brick planters in the square? Gwyn Smith, who was present at the meeting, stated she takes care of the plants in the brick boxes.

**TREASURER’S REPORT FOR JANUARY:** Treasurer Damiano

**Treasurer Damiano read the January Financial Report**

Newport Borough General Account balance January 1, 2024:	\$114,689.25
Deposit thru January 2, 2024:	\$ 000.00
Fines Deposited January 2, 2024	\$ 45.00
Outstanding bills presented for payment:	\$ 3,640.71
Estimated Income for balance of January:	\$ 10,000.00
Estimated Expenses for balance of January:	\$ 28,278.88
Estimated Balance January 31, 2024:	\$ 92,814.66
Liquid Fuels Account Balance January 1, 2024:	\$ 67,246.04
Outstanding Bills presented for payment:	\$ 334.84
Estimated Expenses for balance of January:	\$ 1,500.00
Estimated Balance January 31, 2024	\$ 65,411.20

Secretary Damiano explained that there will be 3 payrolls in January. The first payroll of January 3, 2024 had to be submitted on Friday, December 29, 2023, therefore the first payroll is posted as a 2023 payroll expense.

**MOTION:** Cl’m Frownfelter moved, seconded by Cl’m Dudley to approve January’s Financial Report.  
Motion carried.

Cl’m Halstead explained the procedure to pay off the tractor loan will have to wait until an account is set up, which could take up to 30 days.

**APPROVAL OF JANUARY BILLS TO DATE:** Treasurer Damiano

**MOTION:** Cl’m Dudley moved, seconded by Cl’m Fickes to pay the January bills presented for payment.  
Motion carried.

**MOTION:** Cl’m Frownfelter moved, seconded by Cl’m Dudley to transfer the difference of the January 1, 2024 Beginning Balance of \$114,689.25 and the General Fund 2024 Budget Prior Year Balance Forwarded of \$83,511.84 with rounding to a transfer amount of \$31,170.00. Cl’m Halstead commented that the council should wait another month until tax revenues for 2024 would start being paid.

**Roll Call Vote**

**Yeas:** Cl’m Dudley, Cl’m Fickes, Cl’m Frownfelter = 3  
**Neas:** Cl’m Halstead, Cl’m Leach, President Shope = 3  
**Tie Breaker:** Mayor Tice: Yea  
Motion carried by Tie Breaker vote from Mayor.

**SECRETARY’S REPORT:** Secretary Damiano

1. Attended 1 webinar, Businesswomen’s Luncheon, Networking Event, and Session 1 of Boot Camp for Township Officials. Have 4 upcoming webinars and 3 on-site events.
2. Updated account information with 2 vendors.
3. Confirmed Code Enforcement Officer has her FBI Background Check.

**CODE ENFORCEMENT REPORT:** Officer Tice reported for December

Parking Tickets: 9 – Parking Warnings; 3 - \$15 Parking Tickets; 0 - \$25 Parking Tickets

Code Tickets: 3 – Code Warnings; 0 - \$25 Code Tickets; 0 - \$50 Code Tickets; 0 - \$75 Code Tickets

Citations: 0

Permits: 1

1. 2024 Handicap Permit letters and applications mailed December 1, 2023. Applications have begun to be returned.
2. 2024 Landlord/Tenant Reporting letters and forms were mailed December 15, 2023. Forms have begun to be returned. Any changes in residency are being reported to Ms. Freeland of Newport School District for census purposes and Deb Miller, Newport Tax Collector, for tax purposes.
3. Conducted deed and boundary research.
4. Completed NIMS 100 & 700.
5. Attended webinar Limits to Zoning on December 13, 2023.

Code Enforcement Officer Tice would like to attend PSATS Hot Topics in Zoning webinar on Wednesday, January 10, 2024, noon – 1 pm at a cost of \$30.00 member fee for class. With not being on the agenda, council was not allowed to vote on paying for this class. She has the option of paying for the class out-of-pocket, and then presenting the class invoice for payment/reimbursement at the February 6, 2024 council meeting as long as the request is placed on the February 6, 2024 agenda.

**ORDINANCE COMMITTEE:** Gwyn Smith

Met in October.

Rental Property: Need more time to review.

Water Ordinance: Ready

Snow Emergency: Ready

Storm Water: Reviewing

Disorderly Persons: Reviewing

Airbnb: Reviewing

**PLAYGROUND COMMITTEE REPORT:** Cl'm Halstead

Nothing to report.

**FINANCE COMMITTEE REPORT:** Cl'm Bucher – Not present; no report.

**MAYOR'S REPORT:** Mayor Tice

1. Thanked the Borough Council for the official mayor's dress shirt.
2. Attended the Tree Lighting Ceremony on December 2, 2023. Had nice weather. Wore official mayor's shirt to event. Received many compliments and helped many of the residents identify who the Mayor of Newport Borough is.
3. Would like to see more businesses involved.

**OLD BUSINESS**

**Street Light Electrical Outlets:** An electrician has not checked the issues yet.

**NEW BUSINESS**

**Resolution 02-04: Authorize Destruction of Audio-Video Tape Recordings**

Resolution had been drafted by the solicitor.

**MOTION:** Cl'm Frownfelter moved, seconded by Cl'm Dudley to Approve Resolution 02-04: To Authorize Destruction of Audio-Video Tape Recordings once Meeting Minutes have been approved by council.  
Motion carried.

**Repair to Borough Garage Roof:** Cl'm Fickes

Garage roof leak above Streets Supervisor Cody's desk. Cl'm Fickes will get quotes.

**Code Enforcement Cell Phone:** Discussion on Personal Cell Phone vs. Borough Owned Cell Phone

1. President Shope and Vice President Fickes both agreed Code Enforcement Officer is a form of Law Enforcement.
2. Cl'm Dudley, the borough's previous Code Enforcement Officer, stated she has \$125.00 payment left on the cell phone she had used during her tenure as a Code Enforcement Officer, and she would be willing to sell it to the borough for \$125.00.
3. Currently, a \$30 stipend is paid per month for use of personal cell phone for code enforcement purposes.
4. Mayor Tice stated a dedicated line on a corporate account for code enforcement use would be beneficial, but would that then require availability 24 hours a day/7 days a week?
5. Cl'm Leach wanted to know if the code enforcement officer has set hours. The code enforcement officer has flexible hours, but total hours are 20 to 25 hours per week.
6. There is a code enforcement email: [codeenforcement@newportboro.com](mailto:codeenforcement@newportboro.com)
7. Cl'm Frownfelter stated with legal matters, a separate cell phone would protect council.
8. The solicitor stated that Right-to-Know requests include texting on cell phones.
9. Cl'm Dudley will explore cell phone plans.

**Discussion of Amended Ordinance Vehicles and Traffic adopted on April 4, 2023**

**Discussion of Snow Ordinance & Water Ordinance**

**Discussion to Repeal Amended Vehicles and Traffic adopted on April 4, 2023**

1. Cl'm Halstead indicated concerns over the amended Vehicles and Traffic ordinance adopted on April 4, 2023 in regards to the numbering system being different and the lack of notations on the history of all changes to the ordinance. Cl'm Halstead favored repealing the amended ordinance.
2. Similar inconsistencies were also found in the Snow Ordinance and the Water Ordinance.
3. The solicitor stated an ordinance can use different numbering system or can be a stand-alone ordinance.
4. Solicitor Dissinger will review, as he is not certain repealing is the best option, on these ordinances, and bring back his findings at the next meeting.
5. Cl'm Dudley did add that a discrepancy of the code violation number indicated on a ticket versus the ordinance number could invalidate a ticket.

**Time Off Requests**

Discussion was held on the current procedure for Time Off Requests and what improvements to the procedure could be implemented, and updating the policy in the employee handbook.

**Donation to Newport Public Library**

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Dudley to donate \$1,000.00 to Newport Public Library. Motion carried.

**Donation to Perry County Animal Rescue Inc.**

**MOTION:** Cl'm Frownfelter moved, seconded by Cl'm Dudley to donate \$500.00 to Perry County Animal Rescue, Inc. Motion carried.

**Part-Time Snow Plowing Employees**

Part-Time Snow Plowing Employees: Current part-time Streets employee Ricky Miller.

Additional Part-Time Snow Plowing Employees:

Gregory Shope; Council President and Christian Fickes; Council Vice President

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Dudley to hire Gregory Shope and Christian Fickes as Part-Time Snow Plowing Employees at a wage of \$15.75 per hour. Cl'm Shope and Cl'm Fickes abstained from voting on the motion due to Conflict of Interest. Abstaining letters will be submitted to the borough secretary. Motion carried.

**Executive Session**

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Frownfelter to go into Executive Session at 8:05 pm for the purpose of a Legal Matter. Motion carried.

**MOTION:** Cl'm Fickes moved, seconded by Cl'm Dudley to come out of Executive Session at 8:32 pm. Motion carried.

**MOTION:** Cl'm Frownfelter moved, seconded by Cl'm Dudley to Execute the Agreement to Mediate. Motion carried.

**Communications**

- 1. Water Authority Minutes and Financials of November 14, 2023
- 2. Newport Borough Municipal Authority Minutes of November 20, 2023
- 3. Pennbid 2024 Bidding Thresholds

**Next Meeting Date:** Tuesday, February 6, 2024, at 7 pm.

**ADJOURNMENT:** Cl'm Fickes moved, seconded by Cl'm Dudley to adjourn at 8:45 PM. Motion carried.

Respectfully Submitted,

Shelly Damiano,  
Secretary/Treasurer