

**NEWPORT BOROUGH COUNCIL
REGULAR MEETING MINUTES MAY 5, 2026**

CALL TO ORDER: President Gregory Shope called the meeting to order at 7:00 PM with Borough Council Members Mary Bucher, Jamie Stonerod, Tami Halstead, Jacob Zentichko, and Barbara Leach present.

OTHERS PRESENT: Idan Ghazanfari, Solicitor; Bruce Psaras, Newport Code Enforcement Officer; Ariana Koch, Perry County Council of the Arts and Christian Fickes.

PLEDGE OF ALLEGIANCE: Cl'm Bucher led us in the Pledge of Allegiance.

AMENDMENTS TO THE AGENDA: Cl'm Bucher moved, seconded by Cl'm Stonerod to amend the agenda by adding: Continuation of Hearings Part 2, for 15 South 4th Street and 34 South 4th Street, under Code Enforcement. Motion carried.

GUEST: Ariana Koch, Perry County Council of the Arts (PCCA): Plein Air Event
Ariana Koch presented to the Borough Council the Plein Air Event. PCCA would like to hold a Plein Air Event in Newport Borough on Saturday, May 30, 2026 from 9:00 AM to 12:00 PM. The event is designed to encourage the community to come out and create and paint. The painting supplies are provided to participants at no cost as well as instruction from experienced PCCA staff and teaching artists. PCCA is nurturing a supportive environment that encourages creativity, growth and well-being in our community. This introduces art experiences to individuals in our community who would otherwise not have the means or confidence to experience new art forms on their own. The goal is to get people outdoors and see our community. There is also an architectural aspect to it. People come out and paint. They would like to have a maximum of twenty-five people signing up for the event. The people will be looking around in the Newport Square and painting what they see in that area. The materials used will be watercolor and acrylic paint, pastel pencils, sketching pencils, and pastels. Artwork will be done on paper, canvases and canvas boards. The participants will be on the Borough sidewalk with easels. Ariana Koch is asking for approval for people to do paintings stationed on our Borough sidewalks. It doesn't take up much space and the sidewalks will not be blocked. No street closures are needed.

MOTION: Cl'm Stonerod moved, seconded by Cl'm Leach to approve the Plein Air Event on May 30, 2026 from 9:00 AM-12:00 PM. Motion carried.

PUBLIC COMMENT: None

STREETS COMMITTEE REPORT: Cl'm Halstead

- Barbara Leach is requesting a street closure for tree trimming. The tree trimming will be done on May 12, located at 41 N 2nd Street. The street closure is Dock Street closed from N 2nd Street to N Shrub Street from 7:00 AM to 5:00 PM. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stonerod to approve the street closure request on Dock Street on May 12, for tree trimming. Motion carried.
- NRSP is requesting an event alcohol permit for Discover Newport, Food Truck Festival on June 6, 2026. **MOTION:** Cl'm Bucher moved, seconded by Cl'm Stonerod to approve NRPS's permit for alcohol for the event, Discover Newport, Food Truck Festival on June 6, 2026, from 10:00 AM-3:00 PM. Motion carried with Cl'm Halstead nay.
- Newport American Legion Post 177 is requesting to hold an event. On Sunday, May 24, 2026 at 3:00 PM to have a Memorial Day Service and close North 2nd Street on both sides. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stonerod to approve the Memorial Day Service on Sunday, May 24, 2026 and to close North 2nd Street on both sides from noon until finished. Motion carried.
- Cl'm Halstead stated that Cody Harris had received his plaque for 21 years of service. Greg

Shope had begun working part-time for streets. The handicapped cheek walls were painted yellow in the commercial district. Streets crew is mowing now, and brush pick up is every Monday. People are putting out dirt, and we do not pick up dirt. Five peddling signs have been installed. Two additional no littering signs were ordered and then the remaining two no peddling signs can be put up with the no littering signs.

- The yearly allowance for purchasing boots for the street crew is \$100 each currently. With the cost of boots now higher Cl'm Halstead suggested raising that amount to \$135. Cl'm Stonerod suggested \$150. **MOTION:** Cl'm Stonerod moved, seconded by Cl'm Leach to raise the amount for purchasing boots to \$150 for full time and part time streets employees. Motion carried.

ENGINEER'S REPORT: Phillip Brath

Engineer Phillip Brath was not present. Cl'm Halstead stated that Engineer Brath would join her in the next week or two to measure the streets that Council was considering paving and he will be working on the bid documents with her to have them prepared for the June meeting.

SOLICITOR: Idan Ghazanfari-Salzman Hughes, P.C.

- Discussion on Ordinance No. 391 Amending Chapter 237. Vehicles and Traffic: Handicapped Permit Parking. Solicitor Ghazanfari researched the Americans with Disabilities Act for any additional amendments to proposed Ordinance No. 391. In 2018, legislation allowed municipalities to regulate parking in public places however, it does reference disabilities and there are allowances. The Act allows individuals with handicapped placards or licenses plate to park in permitted handicapped parking spaces. Anyone with a handicapped placard can park in our permitted handicapped parking places. This is an issue because it is a permit parking space on a public road. Solicitor Ghazanfari recommends still keeping the handicapped sign on the post with the permit number sign. He stated that it does not matter who paid for the permit parking space. According the Americans with Disabilities Act anyone handicapped with a placard can park there even with someone paying for it. We can do handicapped permit parking but, the Americans with Disabilities Act creates access to these spaces. We still have to provide legal accommodations for handicapped people. He recommends the Borough should amend the handicapped permit parking application with a disclaimer stating that other disabled individuals may park in this permitted parking space. Cl'm Halstead asked if the proposed changes to Ordinance No. 391 were acceptable and if there were any more changes needed. Solicitor Ghazanfari agreed with the proposed Ordinance 391 and had no additional changes. Nothing he discussed with the ADA would be added. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stonerod to approve Ordinance No. 391, as presented and to advertise. Motion carried with Cl'm Leach nay.
- There is no update on the property at 55 South 2nd Street for a land donation to the Borough. Nothing has been received by Solicitor Ghazanfari from the owner to date.
- Discussion was held on the zoning issues with the new scoreboard that needs to be installed at the ball field at Veterans Memorial Park. It currently stands that an application for a dimensional variance has been submitted by the Newport Youth Baseball Association to the Newport Zoning Hearing Board. The current size in the Zoning Ordinance for signs in the Conservation District is nine square feet. The sign size in the application is seventy-two square feet. Assistant Secretary Halstead has been coordinating with the various parties involved in the Zoning Hearing to select the date of the hearing. The agreed upon date is May 27, at 7:00 PM at the Borough Office. The Newport Borough Planning Commission has been notified and information emailed. The Perry County Planning Commission has given a response to the application with a letter of findings that will be discussed at the Planning Commission Meeting. Cl'm Halstead commented on a bullet point statement which says, "being a public property, Zoning Ordinance Section 250-106. N. indicates that this particular sign would need to be approved by Borough Council." She was interpreting it to say the Borough Council could

approve the sign. Solicitor Ghazanfari interprets it to mean the Council approves of letting them put the scoreboard there. It must be proven that there is a hardship and a need for relief. The discussion came to the same conclusion that a zoning hearing was needed.

- Cl'm Halstead presented Ordinance No. 392 Amending Zoning for signs for height, size and illumination in the Conservation District. Section 250-17. Lot design requirements, recommending to change the maximum height from 10 feet to 50 feet. There are various structures at Veterans Memorial Park that are close to 50 feet currently. Solicitor Ghazanfari would agree with that change as reasonable. Section 250-110. Signs in Conservation District (C), which currently states signs shall not exceed nine square feet. Cl'm Halstead is recommending a change to say, a sign in this district shall not exceed nine square feet unless otherwise specified as a requirement for public safety or government mandate or used for purposes of score keeping on ball fields in a public park, in which case the sign shall not exceed one hundred square feet. Solicitor Ghazanfari stated according to the Supreme Court recent ruling, you cannot regulate signs based on content. Cl'm Halstead asked what is the solution for allowing scoreboards on the ball fields? To increase the size of the sign requirement, to no more than one hundred square feet, that would apply to all the signs in the Conservation District and that would be inappropriate. Cl'm Zentichko commented that the Ordinance Committee would look at it.

CODE ENFORCEMENT COMMITTEE REPORT: Cl'm Bucher

- The Borough received the building permit inspection report from BIU on Blue Buffalo Tavern, owned by Mr. Donald Failor, located at 57 North 2nd Street, Newport, PA. The Blue Buffalo Tavern received an occupancy permit and passed inspections. On the second floor of the Blue Buffalo Tavern there are two long-term rental apartments. In Mr. Failor's permit application to BIU, it said the third floor shall not be occupied, on the permit, dated April 9, 2026. However, on the third floor Mr. Failor is planning to have a short-term rental Airbnb. Mr. Failor is advertising the third floor as an Airbnb currently. The Newport Borough Zoning Ordinance states that an apartment(s) cannot be located above the second floor in the Commercial District. The building will be in violation of a nonconforming use for third floor rentals, without the discovery of information stating otherwise. BIU fined Mr. Failor for not having a permit from the Borough when they began construction. The building was a change of use with Mr. Failor converting the building from an antique store to a restaurant. Bruce Psaras, Code Enforcement Officer (CEO) is researching the prior use of the building. Christian Fickes commented he thought there was a library there at one point and possibly apartments. Solicitor Ghazanfari recommended that the code officer do an investigation into the history of the property. As part of the investigation, determine what the use of the building was. The investigation would include checking with neighbors and individuals who might know what it was. Also look for what the building was intended to be. Investigate and note the discrepancies gotten from BIU and research data. Be vague when asking questions and additionally research for more information in places such as newspaper articles and past Borough minutes and records.
- CEO Psaras noted he had fined some individuals peddling without peddling permits. He fined them \$600 and is waiting on the check.
- There is an individual in the Borough on a scooter who is panhandling. CEO Psaras stated panhandling is a form of speech. His opinion is that it is permitted. No action will be taken.
- Cl'm Zentichko asked if there was any progress on moving the car on Mulberry Street. CEO Psaras is communicating with the parties involved to get it resolved.

CONTINUANCE OF HEARINGS PART TWO FOR 15 SOUTH 4TH ST AND 34 SOUTH 4TH ST

15 South 4th ST Hearing-CEO Psaras asked Solicitor Ghazanfari if witnesses for a hearing needed to be sworn in prior to giving their testimony. Solicitor Ghazanfari stated yes they would be sworn in. CEO Psaras commented for tonight there are no witnesses. The hearing continued discussing first the building located at 15 South 4th Street owned by Mr. Edward Carns. The building is a multifamily home

with three floors. Inspection of the building by CEO Psaras revealed the following findings. The shingles on the roof are curled. The roof will need to be repaired. The rear of the house has scaffolding put up. The grass is mowed and the yard is maintained. The siding is halfway up on the building and tyvek on the side. A dangerous building by definition does not include whether the building is occupied or not occupied. CEO Psaras is inspecting for sanitary, health and safety reasons. No water is in the building which creates a dangerous building. Cl'm Zentichko stated that the Water Authority has a temporary disconnected service rule. The Water Authority has a 14-day notice policy, and they can turn off water supplies. CEO Psaras continued the hearing and stated that he walked around the outside of the building. Mr. Carns signed a form to allow code enforcement to enter the building. The railing is loose on the back porch. The front door is blocked with wood, and it cannot open. There are several areas with missing handrails. The second floor has no handrails on the stairs creating hazardous conditions. The kitchens are stacked on top of each other on each floor. The electric is not up to code. There are no GFI receptacle outlets in any of the kitchens and there are several areas in the building with exposed wiring. There are several smoke detectors missing. Missing smoke detectors on the 2nd floor. There is a hole in the floor for a shut off value which is a hazard. There are areas of exposed insulation. The building has been vacant for ten years. There are missing ceiling tiles. The building has numerous areas covered with mold and mildew. There is no bathroom door on one of the bathrooms. There are not any fire escapes. There have been and still are birds nesting in the building with significant piles of fecal matter in the building. While CEO Psaras was on the site inspection visit, a bird appeared coming out of the hole in the side of the house. CEO Psaras has determined that the property is to be declared a dangerous building. He wants Council's decision on posting it as such. The owner still has the opportunity to fix the problems. President Shope commented that Mr. Carns' intent is to repair and fix it. CEO Psaras commented that Mr. Carns thinks it will take nine months but should request a longer time. Cl'm Stoneroad asked if we post it a dangerous building, can Mr. Carns still repair it while being posted? The answer is yes and after it is repaired the sign will be removed. CEO Psaras commented we want property owners to keep their properties maintained. Another zoning concern is that if this property is occupied by three or more families it is a nonconforming use. It has been vacant for more than ten years and because of that it should only be occupied with two families. Mr. Carns has been an owner of this property since 1996. CEO Psaras' recommendation is to post it and declare it as a dangerous building. He wants to post the sign in the window at 15 South 4th Street. Cl'm Bucher asked if we need to follow up with it? Can we leave it as it is? President Shope asked if we should put a time limit on it? Cl'm Zentichko asked if we should revisit this in a year? Solicitor Ghazanfari commented there are three levels to consider. Stage one is to repair the building. Stage two is to remove the occupants from the building. Stage three is to demolish the building. The Council can declare it a dangerous building and have the codes officer prepare a draft of what he is going to post and prepare a letter for the owner. President Shope stated let's keep the ball rolling on this so this does not continue and let the building get worse. **MOTION:** Cl'm Stoneroad moved, seconded by Cl'm Zentichko to declare the building a dangerous building, and have CEO Psaras make a list of repairs and then post the building. Motion carried. The zoning issue with three families is a separate matter.

34 N 4th ST Hearing-CEO Psaras still has not been able to connect with the homeowner. However, he has a different address of the last known owner of record Michael Morris. Cl'm Stoneroad commented that it has been thirty days since the last hearing to have a response from the owner and he was not able to. The water being shut off is the issue. Cl'm Zentichko commented that just having the water shut off is not enough to move forward. Cl'm Stoneroad thinks we should still post it. Cl'm Halstead commented that if having the water shut off is the only reason to declare it a dangerous building, then it should not be posted. **MOTION:** Cl'm Stoneroad moved, seconded by Cl'm Bucher to allow thirty more days to get in touch with the owner and continue the hearing for a second time.

APPROVAL OF MINUTES: Regular Meeting Minutes April 7, 2026-Assistant Secretary Halstead

MOTION: Cl'm Leach moved, seconded by Cl'm Stoneroad to approve the April 7, 2026 Regular Borough Council Meeting Minutes as presented. Motion carried.

APPROVAL OF AMENDED FINANCIAL REPORT FOR APRIL: Assistant Treasurer Bowers

The following is the amended Financial Report for April 2026 prepared by Assistant Treasurer Bowers. The Newport General Fund Balance April 1, 2026, is \$83,524.28. Outstanding April Bills Presented for Payment \$17,024.57. Estimated Income for the Balance of April \$173,636.53. The Estimated Expenses for the Balance of April are \$24,036.63. Estimated Balance April 30, 2026, \$218,099.61. The Liquid Fuels Account Balance April 1, 2026, is \$105,338.45. Outstanding Bills Presented for Payment \$9,422.00. Estimated Balance April 30, 2026, \$105,338.45. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stoneroad to approve the amended April 7, 2026 Financial Report and the amended March 2026 Budget Report. Motion carried.

APPROVAL OF FINANCIAL REPORT FOR MAY: Assistant Treasurer Bowers

The Newport General Fund Balance May 1, 2026, is \$227,551.00. Outstanding Bills Presented for Payment \$9,790.15. Estimated Income for the Balance of May \$10,250. The Estimated Expenses for the Balance of May are \$19,103.00. Estimated Balance May 31, 2026, \$208,907.85. Check number 33023 has an incorrect name ECM MMid-Atlantic, LLC and should be ECS Mid-Atlantic, LLC. The check will be voided and a new check made. Liquid Fuels Account Balance May 1, 2026, is \$105,374.53. Outstanding Bills Presented for Payment \$0. Estimated Balance April 30, 2026, \$105,374.53. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stoneroad to approve the May Financial Report. Motion carried.

APPROVAL OF MAY BILLS TO DATE: Check #32320-#32334-Assistant Treasurer Bowers

MOTION: Cl'm Bucher moved, seconded by Cl'm Stoneroad to approve the May bills as presented and have check #33023 for ECS Mid-Atlantic voided and a new check made for payment with the correct name. Motion carried.

SECRETARY'S REPORT: Assistant Secretary Halstead/Assistant Treasurer Bowers

Assistant Halstead commented on the secretary report submitted to the Council, that Assistant Treasurer Bowers and her were working on the transition of employees who are no longer employed by the Borough, and detail were included in the report.

- The Quickbooks Plus annual subscription renewal is in the amount of \$1,149.00 and is scheduled for an auto payment on May 23, 2026, on Shelly Damiano's BMO Borough credit card. Damiano is no longer employed by the Borough, and her card will be deactivated after the statement balance is paid. The Council agreed that the payment scheduled for Quickbooks Plus should be charged to Patricia Bowers' Borough BMO credit card. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Leach to renew Quickbooks and pay it with Patricia Bowers BMO credit card. Motion carried.

ORDINANCE COMMITTEE REPORT: Cl'm Zentichko

- Adoption of Ordinance No. 390 Amending Chapter 166. Peddling and Soliciting. **MOTION:** Cl'm Zentichko moved, seconded by Cl'm Halstead to adopt Ordinance No. 390 Amending Chapter 166. Peddling and Soliciting. Motion carried.
- Approval of Resolution 08-26 Establishing Fees for Peddler Licenses. This was to establish the fees for daily, weekly and monthly peddlers licenses. **MOTION:** Cl'm Zentichko moved, seconded by Cl'm Halstead to approve Resolution 08-26 Establishing Fees for Peddler Licenses. Motion carried.
- Resolution No. 07-26 Permit Fee Schedule. The fine for handicap parking was raised from \$25 to \$50 and other fees remain as presented. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stoneroad to approve Resolution No. 07-26 Permit Fee Schedule 2026 with amending the handicap parking fines to be increased to \$50. Motion carried.

- Resolution No. 09-26 Establishing Fees for Correcting and Abating Violations. **MOTION:** Cl'm Zentichko moved, seconded by Cl'm Halstead to approve Resolution No. 09-26 Establishing Fees for Correcting and Abating Violations as presented. Motion carried.

PLAYGROUND COMMITTEE REPORT: Cl'm Halstead

Playground committee did not meet. There was a sewer line clog on April 18, at Baseball's Opening Day at Veterans Memorial Park. After three hours of trying to open the clog, it was determined a company would need to professionally open the sewer line. Cl'm Halstead called Advanced Septic Services on Monday, April 20 and they were able to open the sewer line and remove the clog. The bill for this service was \$522.00. **MOTION:** Cl'm Stonerod moved, seconded by Cl'm Leach to approve the invoice for Advanced Septic Services for \$522.00. Motion carried.

FINANCE COMMITTEE REPORT: Cl'm Bucher

Finance committee did not meet and there was nothing to report.

WEBSITE/IT COMMITTEE REPORT: Cl'm Zentichko

Website committee did not meet. Cl'm Zentichko found that Windows 11 is installed in the secretary's computer. He is making sure everything is up to date.

PERSONNEL COMMITTEE REPORT: Cl'm Shope

Personnel committee did not meet. A final copy of the Employee Attendance & Absenteeism Policy is provided in the meeting packet for your records.

EXECUTIVE SESSION: Personnel and Legal Matters

Cl'm Stonerod moved, seconded by Cl'm Leach to go into executive session at 9:16 PM. Cl'm Stonerod moved, seconded by Cl'm Bucher to come out of executive session at 9:30 PM. No action taken.

MAYORS REPORT: Mayor Tice

Mayor Tice was absent and no report was given.

OLD BUSINESS:

Mulberry Street Project Storm & Inlets Project Update

- Inlet Jetting approved at April 7 Council Meeting-Council has approved this work at the April 7, 2026 meeting. The work has not been completed.
- Ratify broken storm line pipe at 418 Mulberry Street-A storm line pipe was broken during the Sewer Authority Project on Mulberry Street. In order to keep the project moving the repair needed to be made. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stonerod to ratify the repair to the storm line at 418 Mulberry Street. Motion carried.

Accepting the Resignation of Councilmember Penny Frownfelter-**MOTION:** Cl'm Halstead moved, seconded by Cl'm Stonerod to accept the resignation of Councilmember Penny Frownfelter. Motion carried.

Secretary Position multiple responses-President Shope commented that the Councilmembers need to come in and look at the applications before the interviews are scheduled. There are fifteen applications.

Street Positions multiple responses- President Shope commented that the Councilmembers need to come in and look at the applications before the interviews are scheduled. There are five applications.

NEW BUSINESS:

Community Service Award-Three applications were submitted. Number three was selected for the award. Mayor Tice will present the \$500 award and a certificate to Sophia Griffin on May 27, 2026 at the Newport High School ceremony at 6:30 PM.

Newport American Legion Post 177, request for Memorial Day Service May 24 @ 3:00 PM with Street Closure North 2nd Street both sides between Market Street and Dock Street. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Stonerod to approve the Newport American Legion Post 177, request for the Memorial Day Service May 24 @ 3:00 PM with Street Closure North 2nd Street both sides between Market Street and Dock Street. Motion carried.

PENNDOT request for a Public Meeting for the Mid-Month on June 16, concerning the 4th ST Bridge Project over Little Buffalo Creek. PENNDOT is requesting the Borough Office for the meeting. The June 16, 2026, date is an already advertised meeting for the Council. This is the date PENNDOT would like to have. PENNDOT will be advertising this electronically on their sites. Any Councilmember that can attend the meeting would be appreciated.

Payment accepted only online for Municipal Benefits Services-Municipal Benefits Services will no longer accept payments by check. The payment must be done online. **MOTION:** Cl'm Halstead moved, seconded by Cl'm Bucher to make online payments to Municipal Benefits Services. Motion carried.

COMMUNICATION RECEIVED TO DATE:

1. Newport Borough Water Authority Minutes and Financial Reports
2. Newport Borough Municipal Authority Minutes and Financial Reports
3. Citizen's Fire Company No. 1 2025 General Account Audit
4. Picture Perry Comprehensive Plan May schedule

NEXT MEETING DATE: Wednesday, June 3, 2026, at 7:00 PM

ADJOURNMENT: Cl'm Bucher moved, seconded by Cl'm Stonerod to adjourn at 9:47 PM. Motion carried.

Respectfully Submitted,

Tami Halstead,
Assistant Secretary