

Newport Borough Council
November 5, 2013 – Regular Meeting
Newport, Pennsylvania

Vice President James Prescott called the meeting to order at 7:00 P.M. with Borough Council Members Tami Halstead, Barbara Hart, Thomas Fitzpatrick and Douglas Beatty present. Council Members Jason Ehrhart and Andrew Blair were absent.

OTHERS PRESENT – Mayor Mary Hetrick, Secretary/Treasurer Patricia Bowers, Street Supervisor Cody Harris and Code Enforcement Officer Rick Miller.

GUESTS – Frank Campbell, Carl Roush, Shari Copenhaver, Nancy Colestock, Roseann Kinter, Don Robinson, Paul Koch, Shirley Koch, Lynn Halstead, Ralph Lesh Jr., Ken Turnbaugh, Penny Frownfelter, Luke Roman, Larry Lauver, Carol Lauver, G E Robinson, RJ Lesh, Ray Foster Jr, and Jessica Worthy.

Vice President Prescott called an Executive Session at 7:01 P.M. to discuss a personnel matter.

Vice President Prescott called the meeting back to order at 7:20 P.M.

Vice President Prescott asked if there was a motion on the floor to borrow some money to get through this year on our finances.

Cl'm Fitzpatrick moved, seconded by Cl'm Halstead to take a loan out at Juniata Valley Bank in the amount of approximately \$35,000 to be paid back in 60 installments at a cost of \$628.90 a month and when the USDA loan is paid off in September of 2014 take that amount of \$1,686.23 and pay that on top of the monthly payment get the loan paid off with no penalty. The Borough Secretary will have to make sure there is no penalty for early pay off. Motion carried unanimously.

APPROVAL OF MINUTES – Cl'm Hart moved, seconded by Cl'm Halstead to approve the October 1, 2013 Regular Meeting and October 15, 2013 Mid Month Meeting Minutes as drafted. Motion carried unanimously.

FINANCIAL REPORT – Newport General Fund Account balance November 1, 2013 was \$37,064.68. Deposits of \$11,100.59. Sewer Payroll Reimbursement Transfer for Payroll # 21 & 22 plus Life and Disability Premiums of \$5,676.55. Outstanding bills presented for payment of \$8,580.64. Estimated income for the balance of November of \$22,417.60 will leave an estimated balance November 30, 2013 of \$34,443.58. Liquid Fuels Account balance November 1, 2013 was \$45,616.67. Outstanding bills presented for payment of \$2,928.00 will leave a balance of \$42,688.67. Sewer Revenue Account balance November 1, 2013 was \$81,316.58. Transfer to General Fund for Payrolls 21 & 22 plus Life and Disability Premiums of \$5,676.55. Outstanding bills presented for payment of \$25,791.75 will leave a balance of \$49,848.28. Cl'm Hart moved, seconded by Cl'm Halstead to accept the Financial Report as presented. Motion carried unanimously.

APPROVAL OF BILLS – Vice President Prescott commented he looked the bills over and they seem to be all in order. Cl'm Hart moved, seconded by Cl'm Halstead to pay the outstanding bills in the amount of \$8,580.64 from the General Fund Account, pay the outstanding bills in the amount of \$2,928.00 from the Liquid Fuels Account and pay the outstanding bills in the amount of \$25,791.75 from the Sewer Revenue Account. Motion carried unanimously.

PUBLIC COMMENT – Frank Campbell thanked Cody, Ron and Borough Council for all their help with Canal Days. There will be a Playground Committee Meeting on November 8th, 2013 with Larson Design and the architect. NRPS is in the process of getting ready for the tree lighting ceremony to be held on December 7, 2013 from 4 to 6 P.M. The 175th Committee is moving along with getting ready for the 175th celebration. Frank commented that along Market Street and 2nd Street the trees need some work. He will submit a budget figure to work on the trees for the Budget meeting. NRPS will be happy to participate in the process with the trees financially. Frank asked Borough Council authorization for Ron McNaughton to do a webinar over his lunchtime at a cost of \$25.00. We need (2) people to go through the training for the tree grant. The grant cycle is in January 2014. Cl'm Fitzpatrick moved, seconded by Cl'm Halstead to authorize the cost of \$25.00 for Ron McNaughton to do the tree webinar training. Motion carried unanimously. Frank will get the info

for Ron. **Shari Copenhaver** asked what would you have to do to get permission to dress up like Santa Claus and go through the Borough and hand out presents and not get arrested. Would you have to get a permit or what would they have to do? Vice President Prescott replied he did not know; that possibly is a question for our solicitor. He will draft a letter to him tomorrow asking him that question with a copy to Ms. Copenhaver. We'll get a response. Ms. Copenhaver heard a rumor that somebody is saying that the fact that the ordinances were tabled permanently is not legal. Did somebody on the Borough Council say that? Vice President Prescott commented he is not sure we haven't discussed anything yet. The solicitor is not here and if anyone brings it up tonight, we can't even discuss it without Stan being here. Ms. Copenhaver said she asked the question whether one of the Borough Council raised that issue. Vice President Prescott replied he never raised the issue. If anybody raises the issue, he doesn't know if it is legal or not without the solicitor telling it is. Ms. Copenhaver said well the solicitor was present when it was done, that was why she was asking. Vice President Prescott commented when it was done, Stan never said it wasn't. He doesn't know if it is or not. Ms. Copenhaver was here and he never said to us. Ms. Copenhaver said he never said whoa, whoa. Vice President Prescott said he doesn't know if it is or not, that would be up to him. Vice President Prescott said when he writes his letter tomorrow to Stan, he will ask that question also. He'll get Ms Copenhaver a copy of that too. Ms. Copenhaver commented the Borough Council very easily passed a loan for more than (5) figures, \$35,000 just like that. This is about the average value of a home in Newport Borough since this Council has taken over, cause your legacy by the way, if you didn't know it, is that you (Borough Council) have reduced property values by 20 to 25 percent, you've increased the prime rate by at least 100 percent if not 200 to 300 percent and you have virtually destroyed all faith in Borough Council that anyone had. That is your legacy and that is how you'll leave here. On the minutes of last week's meeting that were approved. Secretary Bowers commented they are not approved, they are not done yet. Ms. Copenhaver just wanted to clarify that they are going to reflect that those ordinances were tabled permanently. Secretary Bowers replied the minutes will say exactly what the motion was. She will take it right from the tape. Ms. Copenhaver asked with regard to the violation slip that was so very detailed, how many of you have an exhaust fan in your bathrooms? (3) or (4). She asked how many in this room have exhaust fans, in your bathroom. Vice President Prescott stated we are not going by that, there is no reason to discuss that because that is over with, it is a dead issue. Ms. Copenhaver commented well if somebody is going to try to bring it back up. Vice President Prescott commented there was a lot of stuff on there that we did not agree with. He did not understand, and we talked about it and it's a dead issue, why we would have to inspect a medicine cabinet. How many people have shower stalls in their bath tub and that? We decided it last week that it was totally dead. So, there is no sense in even talking about it. Ms. Copenhaver commented well the rumors were going all over the Borough today that you (Borough Council) were going to be discussing this again tonight. The item #10 under the agenda is Ordinance, what ordinance is that? Cl'm Halstead commented she is the Committee Chairman for that Committee and she will be discussing what ordinance. There is no particular ordinance, if she has a comment she'll say her comment. Ms. Copenhaver asked so there won't be any comment about those ordinances that were tabled? Cl'm Halstead replied she will have a comment. Ms. Copenhaver said ok then she is going to continue because at that point public comment will be over and she knows how that goes. Needless to say there is probably about half of us here who do not have exhaust fans in our bathroom. Trash, she believes the ordinance that we are pushing for, correct. Vice President Prescott stated ok we are going to stop, the ordinance is dead. We are not going to discuss it. Ms. Copenhaver replied but Cl'm Halstead is going to comment on it. Vice President Prescott said well if she discusses it, it is going to be dead. She is not going to discuss it. Cl'm Halstead said she has a comment. Ms. Copenhaver said she just said she is. Vice President Prescott said she is going to make a comment, she can make a comment and it's going to end and we are not going to discuss it. Stan isn't here. Vice President Prescott asked Cl'm Halstead to give her comment now, we are not going to discuss a dead issue. Cl'm Halstead commented she was unable to attend the meeting she had a prior commitment. She has been the head of the Ordinance Committee for several years. We rewrote the Borough Ordinance book several years ago to get it up to what we thought was standard. We had approximately 37 meetings that year, to which Doug you came to two. Cl'm Hart was there, she was on the committee and we did what we thought was the best at that time. Mayor Hetrick kept saying that we need to have a property maintenance ordinance and she will say that she did not push for it, mostly because she is a landlord. She did not want to have regulations but at the same time she was not at all concerned because her properties were refurbished before anybody ever rented them. So she had no concerns that she would be in violation whatsoever. She knew there would be a fee involved with it and she really didn't want to have to pay that and so she didn't really go with the Mayor's request to create a property maintenance code. But over the last couple of years there have been more

complaints by tenants coming to the Council, unsafe conditions and again the Mayor had asked us because of the complaints that she has gotten that she would have us write an ordinance. So we starting working on it and Rick the Code Enforcement Officer worked with Stan and the Meeting on Monday, which she did not attend, was just for discussion. Nothing was final, it was just to be a discussion so that we wouldn't have to have a Council Meeting and sit for (3) hours and discuss it. Nothing in the ordinance that was proposed or was tabled was even final. It was just somewhere to start. You have to understand when you write ordinances they do take time. The purpose was safety for our residents. She looks at being a landlord herself as a business and she wants to have a good property to rent to her tenants. She has had very happy tenants who didn't want to move out of her places, they wanted to buy them from her but she was not ready to sell. She still has a couple of tenants. If you are going to be a business person then you need to have a good product. She doesn't see any reason why if you have a good product why you wouldn't be willing to show that to somebody. She has nothing to hide, the Code Enforcement Officer is welcome with proper notice to her tenants to come in and inspect anything anytime. The problem is in the Borough you have to understand that your property value is also based upon the house in your block. Whenever they come to assess your house they are looking at the properties all around you. So you might have a nice house but if you have a property that is beside you, they are also going to consider the value of the houses around in rating what your house is worth. We had someone come in and complain that their house almost burnt down and Richard Behne went into that house and knew what to do and actually he cut the electric off she believes so the house didn't burn down. The response of the property owner was "I don't care if it burns down". That's the kind of problems we are having with landlords. Those of you who are sitting in this room who are good landlords, we are trying to create something that is fair so that the people in this town are safe. She wants to see our town coming up with the value of our homes. She thinks our town is exploited from people that just see stuff for foreclosure, snap them up and rent them out and they don't take the time to put money into them. She would say that most of the people that rent some of these places will not live in them. She could live in her properties. People like the properties that she has. She spends a lot of time, a lot effort, a lot of cash in her places and she could get a lot more rent for them but she is there to serve the people. Ms. Copenhaver commented all of them. Cl'm Halstead commented let me finish though because this was the beginning of it, that meeting on Monday was never to pass anything. She didn't even know that meeting was going to happen, she was out of town. I didn't even know that meeting was going to happen; in fact she was very angry. Ms. Copenhaver asked Cl'm Halstead if she was aware that it was advertised at the very last minute in a sneaky underhanded way in the Harrisburg paper. Cl'm Halstead replied yes, after the fact. Ms. Copenhaver commented that is never going to go away, that is not acceptable, never, not for any reason. Cl'm Halstead commented she was not in favor of the meeting, she found out after the fact. She was a little upset because she is the Chairman of Ordinance Committee and Chairman of the Code Enforcement. She frankly was a little angry, I'll tell you like it is, because it was just for discussion and she felt is there anything else that this is supposed to be. So when everybody came out and got angry, it was because they felt like something was going to happen that shouldn't. I figured that was what was going to happen. This ordinance is not anywhere near, it hasn't even really been discussed by the Council. Your input is appreciated as far as what it is supposed to be. Ms. Copenhaver said that's one how many more (legal bills) are coming? This is the first legal bill associated with the ordinance for a total of \$1,013.85 for something that went right in the trash can. For a Council that just had to borrow \$35,000.00, you need to think about that. You are throwing good money after bad and that is our money. Cl'm Halstead replied that's right and that is why we try to do a lot of the stuff ourselves as a Council so that we don't have to pay legal fees. Ms. Copenhaver asked how many more bills are coming after this one. Cl'm Halstead replied she didn't know. Vice President Prescott replied he didn't know. He didn't even know we were working on it that extensively. Cl'm Hart commented she didn't either. Vice President Prescott commented he was under the impression that it was just a five minute inspection, that we were going to inspect it for loose wires or hanging wires, if the running in the house, insect and rodent infestation. That was the only thing that he was aware of that we were inspecting. He was as shocked as everybody else at this table when he came here and he seen this (80) page, that we were going to check medicine cabinets. Ms. Copenhaver asked if the Borough looked at the Code of Federal Regulations which applies to every single person in this room. Cl'm Halstead replied no, that's the reason why this was not going to be passed or even brought up for a vote on Monday. Ms. Copenhaver commented that those codes are already in effect. You don't need an ordinance. All you needed to do was direct people to the proper authorities to enforce already previously existing laws. She said it the last time about the mold complaint. It is built in to the code of Federal Regulations, do you know as a landlord to give a mold disclosure form to your tenants. Cl'm Halstead replied no. Ms. Copenhaver replied then you are violating the Code of Federal

Regulations. So, maybe you shouldn't be a landlord because under federal law you have to do that. She does it. You can download it off the internet. Vice President Prescott commented that he doesn't think that most of the Council Members at the table knew that it was going to be this complicated. Ms. Copenhaver commented you created it. Vice President Prescott replied no, no. He knew nothing about it. He doesn't even know who, his question is, he hasn't gotten an answer from anyone, who gave Stan the authorization to do something so complicated. He doesn't know. Until he came to this meeting and sat down, he never seen this stuff before. All of sudden I'm looking at 80 questions, they are going to inspect the medicine cabinet, they are going to inspect the roof, they are going to inspect the siding at your house. He never saw any of that before. Someone from the audience asked, well he didn't make it up on his own, did he. Ms. Copenhaver commented no, he downloaded the standard form. She said frankly to see that the first bill from the attorney was over a \$1,000.00. Vice President Prescott said we haven't got an answer from Stan yet of who authorized this. Unrecognized lady from the audience said we are concerned because nobody at the table could answer a question last week. Every time we asked nobody knew. Vice President Prescott said all I know is I find out about the meeting, he got a phone call that said Jason who is the President of Council put an ad in the paper and he wanted to have this meeting. A lady commented then he should pay for the ad. Vice President Prescott said if you look at the minutes on October the 15th, he stated we should not have a special meeting just to discuss this, we have a budget issue, we can't afford to have a solicitor come just to talk about this. We can talk about it at a regular meeting. That is right in the minutes that he said that and then all of a sudden we got this complicated thing sitting here with pages after pages over ridiculous stuff. Ms. Copenhaver commented that's because you all go off road. You start picking up the phone and calling the attorney when you want something pushed that you want. Cl'm Fitzpatrick said no we don't, just hold on, we have a procedure for calling the attorney. The Secretary has to get permission from the Council President or the Council Vice President and that's the only (2) people that can give her permission to call the attorney. Ms. Copenhaver commented telephone call with R. Miller regarding property maintenance. Cl'm Halstead said that is our Code Enforcement Officer. Ms. Copenhaver commented telephone call to C. Barrick regarding IPM & Electric Code for adoption. Cl'm Fitzpatrick replied, he is our engineer. Ms. Copenhaver commented so somebody is going off road and talking to the attorney. I, mean that's the bottom line. If you want to keep it a Council decision then keep it a Council decision, but if you've got these people calling the attorney every day and you're not going to know about it till the end of the month then next thing you know you're looking at a \$1,000 bill. Cl'm Halstead commented there could also be times when the Code Enforcement Officer has to get legal advice because of some of the problems. Ms. Copenhaver commented and I get that. This was about the ordinance this wasn't about that. Cl'm Halstead commented we agreed as a Council to work on a property maintenance ordinance. That was approved, can't tell you the exact date but the Council did approve that as a Council. Like she said this has been something that has been brought up probably in 2010, this was the information that was presented to the Council on last Monday night was basically bits and pieces of something that you have to fit together to see what works for our Borough. It wasn't anything that was ready to be signed; it was to be discussion from her understanding. She was not present and it was called at the last minute and she was rather upset about it myself. Ms. Copenhaver commented well then maybe it shouldn't have been advertised yet then. Someone asked was Jason the only person that knew that this meeting was happening? Vice President Prescott replied Jason was the one who called the meeting. Jason was the one as President could authorize the meeting; he told Pat to advertise it and called a meeting. Someone asked and nobody on Council knew anything about it? Vice President Prescott answered not until we got a phone call and said it was already advertised, Jason called a meeting and we're going to have it on Monday Night. At least, that's how he found out. Ms. Copenhaver commented Council should instruct their Secretary to not do stuff like that. Vice President Prescott answered she has to do what she is told. John knows that too. The President of Council has the authority to call the meeting and he did it and he is the only one who can call the meeting. Ms. Copenhaver said under that ordinance that was drafted 180.44B, your essentially redefining contract law. So, maybe you ought to redefine your Borough Council rules. Cl'm Halstead commented that is set by state mandate, we don't have any say in that. Cl'm Hart commented we already have an ordinance for tenants. We already have one in place. Ms. Copenhaver commented it's not being enforced. Larry Lauver asked are we to understand that this whole debacle is because of Jason? Vice President Prescott asked what the Special Meeting on Monday? Larry Lauver asked is he the one that is going to take responsibility for the Special Meeting on Monday, the code? Vice President Prescott answered he can't blame the code, he doesn't know about the code. Larry Lauver asked then who does know about the code. Cl'm Hart and Vice President Prescott answered the attorney, Stan. Ms. Copenhaver commented the attorney didn't know. Cl'm Hart said Stan couldn't answer some of the questions. Vice

President Prescott said Jason asked the attorney. You look at the minutes of October 15th, he discussed about having a special meeting and he said no we can't afford it; we don't have the money to have the solicitor here on a special meeting. If we want to talk about this we can briefly talk about it at the end of tonight's regular meeting. Jason told the Solicitor at the end of that night don't come to this meeting because he's trying to save money because he blew Monday Night's meeting. That's why the solicitor isn't here tonight because he was trying to make up for his mistake on Monday Night. Ms. Copenhaver commented and ironically it went around town today that it was going to be brought up again tonight. Vice President Prescott said well all of a sudden there's an excuse Jason isn't here tonight. He doesn't know if it's a true excuse or what but all of a sudden he is not here. All he is on his end is he didn't think Monday night's meeting should of went , it was sneaky in his opinion. He did not find out until after it was advertised and he got a call that said Jason advertised it, he called a meeting and it's going to be Monday Night. It's going to be about the discussion of the Landlord inspections. He did not expect to see what he seen when he came in here. Cl'm Hart commented she felt that ordinance was very sneaky because we knew nothing, the ones that were discussed last week. She didn't expect it to be that way either. Vice President Prescott said he thought it would be a (5) minute, that was the way it seemed to me. Ms. Copenhaver commented this isn't New York City, sorry, this is Newport. Vice President Prescott said this is the way it came across to us ahead of time; we're just beating it to death. Cl'm Halstead commented she thinks this is going to have to be revisited but like she said not in the form that it is currently in. Cl'm Hart said it will be changed next year. Vice President Prescott commented there is only one more month with this board so if they decide to do it, in (2) months it will be changed back. He doesn't think you need to worry about this. Ms. Copenhaver commented we do need to worry about it, you're wrong. Because it shouldn't be passed. Vice President Prescott but it wasn't passed. Ms. Copenhaver replied no, but what you just said is absurd. Vice President Prescott said if, I didn't say was. Everybody that was at this meeting voted no for that last week. Ms. Copenhaver replied right, right everybody that was here because there was a crowd of people, but what would of happened if those people had not shown up, because we saw what happened , the Newport Police were disbanded , which is why our crime rate is now sky rocketed. Vice President Prescott asked how do you prove that. Do you read the paper every week? I don't see that much in Newport when he reads the Cumberland Newspaper. Someone in the audience commented come up on Fourth Street, we'll show you. Selling drugs right out in the street. Ray Foster commented he has a place at 401 N 5th Street, right across from the high school. Since the cops were fired, he called the State Police (3) different times in the last few months, now granted he is not there every day, he has literally seen a car load of kids after school towards dark pull right in and he is sitting there working on his house, he has caught them (3) different times in the last five months or six months and reported that they are sitting over there smoking, drinking, passing a bowl around. There is alcohol in the car and he is sitting there working. I thought you got to be freaking kidding me. When he was young that didn't happen. Nancy Colestock commented she has never been afraid in this town till just the last (2) or (3) weeks. We let our front light and back light on all night long every night now. We are terrified. Our door gets locked as soon as it gets dark. Ms. Copenhaver commented our guns are loaded. Is that what we want our town to be? Vice President Prescott commented your points are taken. **John McNaughton** commented you folks know who the renters are in town; we turn that info in to you. If you are going to discuss this in the future, it would be a good idea to maybe send a letter out to the landlords to invite them to work on an ordinance that might work for this town. This is a crime. This would decrease the values of our properties in this town probably 50%. Vice President Prescott commented I think we all agree that that is a crime, it's terrible. John McNaughton commented there is a problem with a couple of people. Someone commented they are the exception. John McNaughton commented they are part of the exception but we do have a problem with a couple of people and there is a solution to this, much better than this. **Mr. Koch** commented that he was concerned about this ordinance. If you pass it, there could be considerable expense which would get passed along to the tenant. This was his primary concern, the ordinance. Vice President Prescott commented it is a dead issue, we're not passing it. Mr. Koch replied, he doesn't believe that. Vice Prescott said if the solicitor says the motion last week is legal then the motion is there forever. **Nancy Colestock** commented she thinks the solicitor needed to be replaced. He could not answer one question last week. **Ralph Lesh Jr** commented this right here is so fraud that it is pathetic, it's absolutely pathetic and will never hold up in court. You paid \$1,000 for this kind of garbage. Vice President Prescott said that's why it is a dead issue. Ms. Copenhaver commented that is just the first bill Ralph. Vice President Prescott said the ordinance right now is a dead issue. Ralph Lesh Jr. replied that really doesn't matter when you get a bad work product, you can't say anything about it because you work for an attorney and I don't blame you. I can damn well say it; you need to get a Perry County Attorney. You don't need anybody else in Camp Hill or Harrisburg or wherever

the hell he has his office. If you want one, get a good one out of Harrisburg, there is plenty of them down there. Ms. Copenhaver commented that one is out of Harrisburg. Mr. Lesh knew he was out of Harrisburg or Camp Hill. Mr. Koch commented the only thing he was concerned about was this ridiculous ordinance and Vice President Prescott replied we all agree it was a ridiculous ordinance. **Nancy Colestock** commented she is just disgusted with the whole thing; she can't wait to get out of this town. **Lynn Halstead** asked how many homes still have the knob and tube wiring yet. There are a lot of them. **Ken Turnbaugh** commented that none of you know what you're talking about. **Larry Lauver** commented the question he had is accountability and who there at the table, if anybody, takes accountability for the ordinance which you had here last week. Who thought that idea up, who brought it to the table, who got the list? Is there anybody here who did that or knew about it? Vice President Prescott answered it was brought up by, Mary had some complaints come to her and she brought it to us and some other citizens came in and gave us complaints. We started talking that we needed something. Most of us here when we said we needed something we thought it was a little inspection of wiring, water running, rodents, insects, like five minutes. He never thought it was going to be an 80 item thing, three and half hour inspection. Larry Lauver commented he agreed with that but who brought in a list with (8) pages deep, with all these requirements. Did anybody at the table do that? Vice President Prescott answered he believes Rick Miller is the Code Enforcer, he was talking to Stan, Tammy is the Chairman of the Code Enforcer. Tammy is on the Code Enforcement, Rick is the Code Enforcer, Stan is the solicitor so where it came from there, he doesn't know. All he knows when he walked in here on Monday night, that was the first he ever seen any of those papers. Cl'm Halstead commented she did not see the list either. **Nancy Colestock** commented if it was the attorney that did that then I would send that bill right back to him. Vice President Prescott replied, I guarantee he didn't do it on his own. Somebody, I don't know. Cl'm Halstead commented he was working on behalf of the Council to try to put an ordinance together. Vice President Prescott commented we have (2) Council Members that are not here tonight, I don't know if they know the answer or not. He doesn't know the answer. Cl'm Halstead commented the Council authorized him to help to put together a legal ordinance. **Mrs. Koch** commented you have some ordinances that you don't enforce already. Cl'm Halstead commented there also is an issue with historical houses too that we just found out about. Ms. Copenhaver asked so why aren't the existing ordinances being enforced. Maybe you (Rick Miller) can answer that question. Rick asked which ones in particular. Mrs. Koch said the ordinance about the grass growing in the pavement and the Borough was a walking alley between 5th Street and down the alley, it is (7) or (8) feet, her tenants have mowed it for (22) years, the Borough has never come around with anything, but we did get a notice one year about pulling the grass out of the bricks, part of the grass was not my bricks, it was the Borough's brick. Rick answered that he had no idea what she was talking about. Mrs. Koch said Rick knows where her house is on 5th Street. Rick asked when this happened. Mrs. Koch answered it was the previous guy, Holley. They were in Texas and got a notice. We got a notice one time about their motor home in the yard that wasn't even our yard or motor home. You talk about having new codes and new ordinances, some of those things should be applied. You (the Borough) never mowed your grass in your alley. **Ms. Copenhaver** commented if there is an ordinance already for rental properties why not look at that and maybe enforce that against those landlords that you've been getting complaints about. She doesn't know who they are, she has no idea. She has seen the complaints on the Perry County Alerts page. They sound like valid complaints to me, but that doesn't mean that all of us should be punished. That is always the way it goes. One or two people screw up and we all have to always pay for it. It needs to stop and you (Borough Council) are responsible. You sit there and shake your head but you are all for the ordinance. Cl'm Halstead commented she has to be because people that just don't comply, you have to do something. Ms. Copenhaver replied no, you already have an ordinance in effect, enforce it. Cl'm Halstead answered it is not adequate. It has already been looked at. Vice President Prescott commented one thing he wanted to mention, we have a property next to the Water Authority on Front, he has been complaining about this property for a year, about the trash out front and stuff on the side of the house. He went by today after he voted, the whole front yard is full of trash, all the stuff is beside the house, it has been over a year that he has been complaining about this property, why can't we get it cleaned up. Rick, why can't we get it cleaned up? Rick replied, first of all Jim, it was cleaned up. He messed it up again. Rick stated "I'm doing my job" I don't know what your looking at, but I'm doing my job. Vice President Prescott replied, he went by there today and he saw the same thing he saw a year ago. Cl'm Hart commented it was cleaned up though at one point. But it is growing again. Vice President Prescott commented it is terrible down there; the same house is over and over....Rick Miller commented the guy is dead right now anyway, so who do I go after. The county has it trying to sell it. Ms. Copenhaver commented she doesn't know, but she finds it very difficult to believe that somebody has a problem, this mold in their house that is visible and there is

nothing in the ordinance that will cover that. I find that very difficult to believe. But even if that is true, then maybe you should, and this is just a suggestion, look into those laws on the Code of Federal Regulations.; print out those forms, print address and telephone numbers for people to take their valid complaints to. Instead of punishing good people who did nothing wrong. Does that sound like a reasonable compromise? She doesn't know why anybody on the Council couldn't think of something like that. She thinks it is really sad that it came to this and thousands more dollars went down the tube. Jessica Worthy asked if Council said something about historical houses. Vice President Prescott replied the inspection doesn't apply to historical houses. Jessica replied wouldn't that be almost half of the houses in Newport. Vice President Prescott replied, yes. Cl'm Halstead commented the county cannot inspect electrical and plumbing in historical houses in Newport, which is almost all of them and applies to everything she owns.

ENGINEER'S REPORT – Vice President Prescott reported the Borough had asked the Borough Engineer, Curtis Barrick, to put together the application for submittal of a PIB loan to do Fifth Street. If we apply for a loan it would have to be for a 10 year term at a rate of 1.96%; that is the interest rate right now. There was a discussion as to whether the Sewer and the Water Authority would want to do their replacements of sewer and water at the same time. Cl'm Hart commented the Water only has a short piece to do from Mulberry Street down Fifth Street. Oliver to Mulberry is done. Vice President Prescott asked if a meeting could be set up with the Water Authority, Sewer Authority and the Borough to discuss this possible project. See if we can come up with a plan to get Fifth Street done. Fifth Street is terrible. Jerry Robinson, Penny Frownfelter, Barb Hart, Tami Halstead, Tom Fitzpatrick, Jim Prescott will get together. Cl'm Hart will Chair the Committee and organize the meeting.

401 N FIFTH STREET – Owner Ray Foster (across from the Newport High School) of 401 N Fifth Street came to the meeting to see what could be done about the water run off at his property. Mr. Foster stated there is no curbing along the sidewalk that runs along his property. The water runs from the top of the garage doors down to the corner of Fifth Street. He asked who owns that part of the street. If he fixes the problem, then he will allow no one to park there. There has never been a curb there. Borough Council asked where his property line was, did he know that? Mr. Foster will find out where is property lines are and then Council will look at the area.

TRI-COUNTY PLANNING COMMISSION DELEGATE - Secretary Bowers reported in the past Robert Sharar has been the Delegate for the Tri County Planning Commission. He expressed that he did not want to be appointed this year. Frank Campbell serves on the Newport Planning Commission and volunteered for the appointment. Cl'm Hart moved, seconded by Cl'm Halstead to appoint Frank Campbell as the Tri-County Planning Commission Delegate for the Borough of Newport. Motion carried unanimously. Secretary Bowers will notify Jason Finnerty of the Perry County Planning Commission.

ADVERTISEMENT FOR SALE OF 1997 DUMP TRUCK – Cl'm Halstead moved, seconded by Cl'm Hart to advertise for bids for the sale of the 1997 Dump Truck in the News Sun. Motion carried. John McNaughton suggested putting the ad in the Shopper Remedy because it's free. Bids should be submitted to the Borough by the close of business on November 29th, 2013.

ROOF QUOTES – Secretary Bowers received (2) quotes for the Borough Building roof repairs. (1) Perry Roofing for \$2,785.00, (\$600 to fix cracks and seal with aluminum coating the front roof and \$2,185.00 to replace the back roof. (2) Plank's Handyman Service for \$1,400 to fix cracks and seal with aluminum coating the front roof. No quote for back roof. Tabled.

2014 PLANNING COMMISSION AGREEMENT FOR SERVICE - Cl'm Hart moved, seconded by Cl'm Halstead to approve and sign agreement with Tri-County Planning for 2014 at a cost of \$500.00 for part-time service for the Newport Borough Planning Commission. This agreement supplies support for the Newport Planning Commission on an as needed basis by Tri-County Planning Commission. Motion carried.

FLOOD INSURANCE – Borough Council received copies of the info for flood insurance for the Borough Building and the Borough Garage due by December 7, 2013. Tabled for review of policy for action at the next meeting.

REQUEST FOR CHANGE OF MARSH ALLEY TO A ONE WAY FROM 6TH TO 4TH STREETS – There was a request for the change of Marsh Alley to a one way street coming from 6th Street to 4th Street. The reason for the request was when vehicles come up Marsh Street from 4th Street and turn on to Fifth Street, they run over the sidewalks. Tabled till next meeting. Borough Council will take a look at.

Nancy Colestock commented we have a fellow who is a paraplegic, everybody has seen him, he goes up and down the alley on Dock Street. There is no crosswalk there by the church and that man has an awful time getting across the street. Her husband has gone out and stopped traffic already so he could get across the street. Where does something like that fit in? She fears for the mans life. Cl'm Fitzpatrick commented that is a state road and we can not do a lining or striping on a state road. Ms. Colestock said she knows and she asked them when they paved that street. She was there when they paved that road. She can't go to them and say hey we need a crosswalk. But, that man is going to get killed. It's the same way when she goes over to church. You just never know if they are going to stop or if they are going to run you down. Cl'm Halstead commented the state was the one when they did Fourth Street, was the one that did all the handicap parking. Ms. Colestock replied she knows, but there is no crosswalk. The curb is cut out. Cody Harris commented there are crosswalks at a couple of the alleys and agreed there should be a crosswalk on Dock Street. It may be a matter of him contacting the state and asking them if he can paint (2) lines. That's all it is and there is no upkeep for them. Ms. Colestock commented even when she goes back and forth to church and so do others, she has had to run practically a couple of times to get across. She is not ready to go that way yet. Cody is going to work on that and see what he can do. Vice President Prescott stated he will make a note of it to follow up on it also.

MAYOR'S REPORT – Mayor Hetrick stated she wanted the people here to know that when this thing came up with this landlord ordinance, she did have complaints from the tenants. She brought it to the Council, but she never at one time mentioned anything about a landlord ordinance. She never mentioned one word about a landlord ordinance. Vice President Prescott commented he agreed with her. The time that he has been on Council he never heard the Mayor ask for it. People did complain and you brought it to us but you never said we needed it; you just brought it to Council.

FINANCE – Vice President Prescott announced we will have a Budget Workshop on November 19, 2013 at 7:00 P.M. We'll talk about the budget at the end of the meeting.

STREETS – Supervisor Cody Harris reported they have been busy gathering leaves, which they've been doing everyday. They did the last brush pick up yesterday and we are officially done with that for the year. The dumpster will be here till the end of the month and then it leaves. They will be putting up the Thanksgiving and Turkey Trot banners tomorrow. The portable toilet has been removed from the playground and the water was shut off for the winter. Cl'm Fitzpatrick asked for authorization to have Alpha Space Control line Fickes Street from 4th Street up to the Oliver Township line. The lines have faded out and this is a school zone. The cost would be \$125.00 to do approximately 856 feet. Cl'm Hart moved, seconded by Cl'm Fitzpatrick to authorize Alpha Space Control to do the lines on Fickes Street from 4th Street to the Oliver Township line at a cost of \$125.00. Motion carried.

SEWER – Cl'm Halstead reported things are going well at the sewer plant. The Municipal Authority is finishing up the InterMunicipal Agreement which will allow Oliver Township to get funding and also Howe Township is interested in coming over. We have a meeting coming up in a few days. We saved a lot of money on this agreement; we did most of the work, Oliver Township and herself. Larry Noss has not repaired the tanks yet. Vice President Prescott commented there is a lot of prep work to do before he can start the repairs and we need good weather also.

WATER – Cl'm Hart reported the Water Authority is doing well. The hookups are completed for Perry Manor. It was tested and they are ready to disperse the water to them. That will bring on about 50 new customers. Cl'm Hart commented she wanted to correct one thing; the water pipe is abandoned on Dock and Third Streets. That was information for Cl'm Fitzpatrick.

PROPERTY – Vice President Prescott reported we had Flickinger's here today to fix the thermostat in the hallway. It was not working. We need to discuss the quotes on the roof; where we are going to get the money to do that.

GRANTS – Committee will start looking for grant money to do Fifth Street.

FLOOD PLAIN - Ralph Lesh Jr. commented he didn't know if the Council is aware of it or not but the government is increasing the floodplain instead of decreasing it. If it goes through it will probably be up past Fourth Street. There has been quite a bit of discussion up in the Thompsett area, it's up there 3 feet, which is absolutely ridiculous because they want to sell flood insurance. Ms. Copenhaver commented and the regular insurance doesn't want to pay. The flood rates are going to be going up outrageously. Mr. Lesh commented he is sure this is going to be nationwide. Ms. Copenhaver asked if the Council could approach the State Boroughs Association and advocate to them. Cl'm Halstead commented the Borough belongs to the Perry County Borough's Association and they do ask for any resolutions that you might want to introduce to go before the State Borough's Association and they take it to the legislatures, if they feel it's a resolution they think has a chance. They do advocate for concerns. Vice president Prescott commented we had our rate lowered about (2) years ago. We need to talk to them to make sure it doesn't go the opposite way. Cl'm Halstead commented we have a meeting coming up next Thursday and she can put it on the agenda.

ORDINANCE – Cl'm Halstead commented she did think about what John McNaughton said about having a meeting to where people could interact, not like a regular Council meeting like this where we have other business. This was bits and pieces and not the ordinance and she thinks a lot of people got upset, she was upset that Council was having a meeting herself. Vice President Prescott commented he thinks John's comment was if we have a complaint about a certain landlord that we have a meeting with that certain landlord. Cl'm Halstead commented what she got from Mr. McNaughton's comment was developing an ordinance where people would have input. John McNaughton commented when you have a meeting a letter should go out to all the landlords of what is being discussed so they can have input.

Vice President Prescott called for an Executive Session at 8:58 P.M. to discuss employee budget.

Vice President Prescott called the meeting back to order on a motion by Cl'm Halstead, seconded by Cl'm Hart, motion carried, at 9:25 P.M. with no action taken.

Next meeting will be November 19, 2013 at 7:00 P.M. for budget and other business to come before Borough Council.

There being no further business to come before Borough Council, Cl'm Halstead moved, seconded by Cl'm Beatty to adjourn the meeting at 9:27 P.M. Motion carried unanimously.

Respectfully Submitted,
Patricia Bowers
Secretary

