

NEWPORT BOROUGH COUNCIL
REGULAR MEETING
May 7, 2024

President Greg Shope called the meeting to order at 7:00 pm with the following Borough Council Members present: Christian Fickes, Billie Dudley, Penny Frownfelter, Tami Halstead, Barbara Leach, Mary Bucher

OTHERS PRESENT: Newport Borough Secretary Shelly Damiano, Mayor Stephen Tice, Code Enforcement Officer Michelle Tice, Engineer Phillip Brath, Luke Roman - Perry County Times, George Hazard – Juniata Valley Winery

President Shope asked Cl'm Fickes to lead the Pledge of Allegiance.

President Shope announced that the meeting was being recorded.

AMENDMENTS TO THE AGENDA: None

GUESTS: George Hazard, owner of Juniata Valley Winery – Opening soon Newport location: 8 & 10 S. 2nd Street
Main location has been in business for 12 years and winery already has 6 other stores.

Requesting to amend the Alcoholic Beverages Ordinance to allow customers to consume alcoholic beverages at bistro tables which would be located on the sidewalk in front of the business. The 4 outside bistro tables would have seating of 2 chairs each.

- PA Liquor Control Board bonds a specific footprint in square feet and inches.
- PA Liquor Control Board would need to approve the additional outside seating in square feet and inches.
- Will sell by the bottle for takeout. Will sell by the glass for on-site consumption along with slushies. PA craft beer and spirits will be sold for consumption on-site only.
- If need be, alcohol can be served by staff to table.
- Outside seating option adds class to business. Patrons might expect to be able to sit outside.
- All staff take the “Responsible Alcohol Management Practice” certification. (RAMP)
- 100% Responsible with staff. Staff can cut off alcohol. Intoxication will result in calling 911 and the PA State Police. There will be at least 2 on staff at all times.
- Light foods would be available for purchase. Retail Food License has been approved.
- Hours would be Tuesday – Saturday, 11 am – 6 pm. Evening events would be scheduled, as per management’s discretion. Examples of special events could include Trivia, Sip & Paint, etc.

Mayor Tice’s Comments: Stated he has his R.A.M.P. certification and supports the proposal. The current alcoholic beverages ordinance was passed in 1981, is outdated, and not conducive to current times. Sidewalk seating is commonplace in other areas, such as the south and mid-west. This can be a great draw if handled correctly. How the ordinance exceptions are written and worded for council consideration would bring how it has always been to the state of modern times.

Cl'm Halstead asked if it would be detrimental not to have outdoor seating with alcoholic drinks option. The current alcoholic beverages ordinance states no open containers of alcohol on sidewalks, alley, or public ways of the borough. The owner of the winery responded that this would not be detrimental to his business, but this option would benefit the town as a whole moving forward. Cl'm Halstead was concerned that this would allow other locations throughout the town such as the Hard Hat, Owl’s Club, and anywhere that serves alcohol, to follow suit.

Council proceeded to refer this matter to the Ordinance Committee. Any proposed changes to the ordinance would need to follow the proper protocol, as set forth in the PA Consolidated Statutes, Title 8, Boroughs and Incorporated Towns, and, with the 2 required newspaper advertisements, the entire process could take up to 4 months.

PUBLIC COMMENT: None

ENGINEER'S REPORT: Phil Brath

Curbs, Sidewalks, & Drainage Improvements SR 0034 (4th Street & Market Street)

Concerns over construction of the new ADA compliant handicap ramps. The overall cost of the SR0034 project may limit the amount of sidewalk that can be replaced on 6th Street associated with the SR 4008 project. Still waiting for PennDOT acceptance of ECMS Engineering Agreement for engineering on SR4008 project.

HATS Curbs, Sidewalks and Drainage Improvements for SR 4008

PennDOT looking to confirm all water, sewer, stormwater, and any other required improvements are provided prior to proceeding. The current let date is November 6, 2025. The current PENNDFOT funding amount is \$1.5 million and is 100% state funded. The HATS grant the Borough has is now less than expected for incorporating a portion of sidewalk replacements, ADA ramps and stormwater improvements because the cost of SR 0034, has increased from \$175,000 anticipated to a bid of \$241,000. There may not be enough funds out of the current grant to complete the borough's desired portion of the SR 4008 project. Need to discuss who pays for the ADA ramps on SR 4008. During a PennDOT walk, two completed ramps are questionable on the SR 0034 project.

HATS, Sidewalks and Curb Ramps Improvements for 4th Street from Market to Fickes

Cl'm Halstead waiting on final approval from DCED of 2023 CDBG funding for \$108,000 for the match.

Park Project Bidding and Certification

Will assist Cl'm Halstead in preparing bid documents for pathways using specifications in the PennDOT 944 format. Council already previously approved to put out for bid and advertise.

6th & Caroline

Contacted Kirby Kitner to discuss continuing issues. Still need to set up on-site meeting and test water flow from inlets.

SOLICITOR: Solicitor Bill Dissinger not present.

STREETS COMMITTEE REPORT: Cl'm Fickes/Supervisor Harris

Cl'm Fickes discussed the Streets Report from Supervisor Harris and the Streets Committee Meeting Minutes.

Inlet by elementary school completed.

Brush pickup is the 1st and 3rd Monday of the month until Fall. Residents should place brush out the night before, preferably in the alley. Brush pickup will begin at 6 am and crew should not be making special or multiple trips through town.

Affected streetlights had their bulbs replaced. Two on the lower side by the bridge still do not work. Cody will check the fuses. PennDOT roadwork had exposed lines along Market Street at Penn Avenue that could have affected the lights.

Possible tool purchase: hammer drill. Will check Federal Surplus.

ESM (Environmentally Sensitive Maintenance) training will be held August 14 & 15, 2024. Cl'm Halstead will attend. No cost for the class. For funding, need to take class and need to retake every 5 years.

MOTION: Cl'm Dudley moved, seconded by Cl'm Fickes to approve for Cody Harris to attend the ESM (Environmentally Sensitive Maintenance) training on August 14 & 15, 2024. Motion carried.

Sealmaster performed the yearly maintenance on the paint machine in April and now it is not working. The technician came and determined it needed to go back to the shop.

Cold patching the borough roads when weather permits. Will be checking on the cold patch levels.

Will be creating a Critical Streets List, for when funding of road resurfacing is available.

APPROVAL OF THE MINUTES: April 2, 2024 Regular Meeting Minutes.

MOTION: Cl'm Dudley moved, seconded by Cl'm Bucher to approve the April 2, 2024 Regular Meeting Minutes. Motion carried.

TREASURER’S REPORT FOR MAY: Treasurer Damiano

Treasurer Damiano read the May Financial Report

Newport Borough General Account balance May 1, 2024:	\$ 221,883.88
Deposit May 1, 2024: ACH Reality Transfer Tax	\$ 2,895.41
Fines Deposited May 7, 2024	\$ 75.00
Deposit May 7, 2024	\$ 9,038.25
Payroll #10 – May 6, 2024	\$ 8,551.21
Outstanding bills presented for payment:	\$ 10,541.53
Estimated Income for balance of May:	\$ 10,000.00
Estimated Expenses for balance of May:	\$ 22,210.44
Estimated Balance May 31, 2024:	\$ 202,589.36

Liquid Fuels Account Balance May 1, 2024:	\$ 73,877.58
Outstanding Bills presented for payment:	\$ 1,542.71
Estimated Expenses for balance of May:	\$ 00.00
Estimated Balance May 31, 2024	\$ 72,334.87

MOTION: Cl'm Halstead moved, seconded by Cl'm Dudley to approve May’s Financial Report. Motion carried.

APPROVAL OF MAY’S BILLS TO DATE: Treasurer Damiano

MOTION: Cl'm Halstead moved, seconded by Cl'm Dudley to pay the May bills presented for payment. Motion carried.

SECRETARY’S REPORT: Secretary Damiano

1. Attended 5 webinars. Have 11 upcoming webinars and 1 on-site event.
2. PA 811 system requires all 811 calls to be responded to in the system. System is now current and will consult with Cody Harris for correct information to record in system.
3. Secretary P-card has been received.
4. Modernized the Zoning Permit Application for Zoning Officer’s review.
5. Completed PSAB Salary Survey.
6. National Incident Management System (NIMS): Completed NIMS 100

Request to Attend: PSAB Your Role as a Municipal Secretary/Administrator: Wednesday & Thursday, May 29 & 30, 2024; Wyndham Gettysburg; 9:00 am – 3:00 pm; Cost: \$75.00 Plus Membership

MOTION: Cl'm Frownfelter moved, seconded by Cl'm Fickes to approve the secretary, Shelly Damiano, to attend PSAB Your Role as a Municipal Secretary/Administrator on Wednesday and Thursday, May 29 & 30, 2024 at the Wyndham Gettysburg from 9:00 am – 3:00 pm at the cost of \$75.00 Plus Membership. Motion carried.

Request to Attend: Businesswomen’s Luncheon; Hosted by Members 1st Federal Credit Union; Wednesday, June 12, 2024; 11:30 am – 1:00 pm; Lindgren Craft Brewery; 5 N. Market Street, Duncannon, PA; Cost: Free for Chamber members. This request is made due to being out of the office during business hours.

MOTION: Cl'm Fickes moved, seconded by Cl'm Dudley to approve the secretary, Shelly Damiano, to attend the Businesswomen’s Luncheon hosted by Members 1st Federal Credit Union to be held on Wednesday, June 12, 2024 at Lindgren Draft Brewery, 5 N. Market Street, Duncannon, PA, from 11:30 am -1:00 pm at no cost. Motion carried.

CODE ENFORCEMENT REPORT: Submitted by Officer Tice

Parking Tickets: 1 – Parking Warnings; 4 - \$15 Parking Tickets; 1 - \$25 Parking Tickets

Code Tickets: 10 – Code Warnings; 0 - \$25 Code Tickets; 0 - \$50 Code Tickets; 0 - \$75 Code Tickets

Citations: 0

Permits: 1

Handicap Parking Permit: 1

Attended 1 webinars: Common Parking Issues

1. Grass warnings have started.
2. Need clarification if the solicitor is handling 55 S. 2nd Street. BIU stated no demolition permit has been applied for the property.
3. The next step on a property that has been out of compliance for several years is to issue a heavier fine at the District Justice level. A certified letter requiring a signature has been returned unsigned.
4. A new business on 4th Street inquired about a ramp being made. Upon reviewing the ordinance, a determination was made that no permit was needed, but the owner was forwarded the state regulations relating to dimensions and grade of ramps.
5. Residents were concerned on where to park while sidewalks are being installed. Informed them that they could park on Mulberry Street and Cl'm Fickes, a member of the fire company, stated residents can temporarily park in the fire company parking lot, but not in the yellow zone parking areas reserved for firefighters.
6. There are 24 landlords that have not reported. Emailed and checked deeds for ownership. Next step will be citations.
7. All 2023 citations have been paid or are on a payment plan.
8. Received several complaints about certain landlords not cleaning up properties from previous tenants or upkeeping properties.

Cl'm Frownfelter is concerned over all the Weis shopping carts throughout the town, 5 at one home, and asked if Weis can be fined. The mayor responded that Weis is private property, therefore they cannot be fined. The code enforcement officer has placed warnings on all doors in the area and will reach out again to Weis. Cl'm Fickes offered to go to Weis.

Cl'm Leach is concerned about vehicles being out of inspection and asked if the state police should be enforcing it. Borough ordinance addresses this issue to a degree.

CODE ENFORCEMENT COMMITTEE: Cl'm Bucher

215 N. 5th Street property: Sheriff's Sale moved from April to July.

Business Request to use Penn Avenue for business parking by removing the 2-hour parking restriction.

ORDINANCE COMMITTEE: Cl'm Leach

Meeting cancelled. No report.

PLAYGROUND COMMITTEE REPORT: Cl'm Halstead

Meeting cancelled. No report.

FINANCE COMMITTEE REPORT: Cl'm Frownfelter

Cl'm Frownfelter requested to add phone stipend to payroll.

MOTION: Cl'm Halstead moved, seconded by Cl'm Fickes to have the monthly phone stipend, tax exempted, added to the first payroll of each month starting in June. Motion carried.

WEBSITE/IT COMMITTEE REPORT: Cl'm Dudley

No meeting.

MAYOR’S REPORT: Mayor Tice

1. Reviewed and approved a handicap parking space permit, including location of parking spot. Mayor stated that council does not need to ratify the decision of approval of handicap permits.

OLD BUSINESS

Perry County Local Bridge Program Intermunicipal Cost Sharing Agreement

Newport Borough has not received a final copy with all applicable signatures for the Perry County Local Bridge Program Intermunicipal Cost Sharing Agreement for the 2nd Street Bridge, which is shared with Oliver Township. Brenda Watson, Perry County Commissioner, responded by email that once all signatures are completed, PennDOT accepts them, and PennDOT is good to move forward, Newport Borough will receive a completed signed copy of the Perry County Local Bridge Program Intermunicipal Cost Sharing Agreement.

NEW BUSINESS

Memorial Day Remembrance Ceremony

American Legion Post 177 will be sponsoring the annual Memorial Day Remembrance with a brief ceremony on Sunday, May 26, 2024 beginning at 3 pm in the Newport Borough Town Square at 2nd & Market Streets, which requires closing 2nd Street for the event. Setup would begin about noon. Mayor Tice stated he will be attending the ceremony that lasts approximately 10 – 15 minutes.

MOTION: Cl’m Fickes moved, seconded by Cl’m Dudley to approve the American Legion Post 177 Memorial Day Remembrance Ceremony on Sunday, May 26, 2024, 3 pm, set up at noon, and 2nd Street road closure noon – 5 pm. Motion carried.

Community Service Award

Newport School District will be holding their Award Ceremony on Tuesday, May 28, 2024, beginning at 6:30 pm. Newport Borough gives a \$500 Community Service Award to a high school senior. Mayor Tice will present the award.

All 7 Community Service Award applicant names had been removed before being reviewed and voted on by borough council to keep the integrity of the content of the applications anonymous. Cl’m Dudley stated she will be abstaining from voting due to knowing who the applicants are even though the names have been withheld. Cl’m Halstead responded that she cannot abstain as it is only for financial gain for self or family. Cl’m Dudley is abstaining and will provide an Abstaining Statement for borough records.

MOTION: Cl’m Halstead moved, seconded by Cl’m Fickes to Approve purchasing a plaque, at a cost of up to \$25, from The Podium Awards, for the Community Service Award along with awarding \$500.00 Community Service Award to the recipient. Motion carried.

Perry County Chamber of Commerce 2024 Discover Perry County Brochure Advertising Opportunity

Discussion was had on the pros and cons of advertising in the 2024 Discover Perry County Brochure. The bigger the size of the ad, the greater the cost. Promoting all the activities held in Newport could be an advertising partnership with Newport Revitalization & Preservation Society (NRPS). Will table until next council meeting.

Resolution #8-24 Destruction of Statements of Financial Interests from Municipal Years 2009-2018

As per PA Ethics Commission Ethics Regulation § 19.4 (c) Statements of Financial Interests shall be kept on file for 5 years after the Commission or governmental body receives the Statements.

MOTION: Cl’m Dudley moved, seconded by Cl’m Frownfelter to Approve Resolution #8-24 Destruction of Statements of Financial Interests from Municipal Years 2009-2018 and to take the documents to Juniata County Library, 498 Jefferson Street, Mifflintown, PA 17059 to be destroyed and receive a certificate stating the day and time the documents were shredded. Motion carried.

Resolution #9-24 Support the Pennsylvania Commission for the United States Semiquincentennial; America250PA

The Pennsylvania Commission for the United States Semiquincentennial (America250PA) is coordinating the commemoration of the 250th anniversary of the founding of the United States, Pennsylvania’s integral role in that event, and the impact of its people on the nation’s past, present, and future. Celebrate the history of the contributions of Pennsylvanians to inspire the next generation. Educate. Preserve. Innovate. Celebrate.

MOTION: Cl’m Fickes moved, seconded by Cl’m Bucher to Approve Resolution #9-24 Support the Pennsylvania Commission for the United States Semiquincentennial; America250PA. Motion carried.

811 Safety Day, Thursday, June 13, 2024

811 Safety Day will be held Thursday, June 13, 2024, 7 am – 2 pm, York Expo Center, All Trasns Memorial East and West, 334 Carlisle Ave, York, PA 17404. There is no cost for the class.

MOTION: Cl’m Dudley moved, seconded by Cl’m Halstead to Approve Cody Harris and Dan Miller to attend the 811 Safety Day, June 13, 2024, 7 am – 2 pm, York Expo Center. Motion carried.

Communications

1. Water Authority Minutes and Financials of March 12, 2024
2. Newport Borough Municipal Authority Minutes of March 28, 2024
3. Domestic Violence Services of Cumberland & Perry Counties
4. Pennsylvania State Mayors’ Association: Mayor of the Year Award

Next Meeting Date: Tuesday, June 4, 2024, at 7 pm.

ADJOURNMENT: Cl’m Fickes moved, seconded by Cl’m Dudley to adjourn at 8:19 pm. Motion carried.

Respectfully Submitted,

Shelly Damiano,
Secretary/Treasurer