

**NEWPORT BOROUGH COUNCIL**  
**REGULAR MEETING MNUTES**  
**July 2, 2024**

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

**OTHERS PRESENT:** Newport Borough Secretary Shelly Damiano, Mayor Stephen Tice, Code Enforcement Officer Michelle Tice, Engineer Phillip Brath, Solicitor William Dissinger, Frank Campbell, and Luke Roman, Perry County Times.

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

President Shope announced that the meeting was being recorded.

**AMENDMENTS TO THE AGENDA:** None

**GUESTS:** None

**PUBLIC COMMENT:** Frank Campbell, NRPS & Perry County Commissioner

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

The advertisement of a full page has been submitted, but the proof has not been sent yet. Cl'm Frownfelter is the liaison for the Borough and is coordinating with Frank, sharing pictures, for the ad the Borough has with NRPS. The brochure is now 80 pages.

The tennis courts have been transformed into pickleball courts. The 4 courts would accommodate 16 players. A pickleball game is about 15 minutes of play.

**ENGINEER'S REPORT:** Phil Brath

**Curbs & Sidewalks Improvements SR 0034 & SR 4008 (4<sup>th</sup> Street & Market Street)**

On June 21, 2024 had a final walk through with PennDOT. Project higher than original estimate due to additional work of ADA detectible wearing surfaces. Will be informing PennDOT that the decorative streetlights are not working near the Rider Bridge after electrical wires were uprooted on Penn Avenue when the new ADA handicap accesses were installed. Still waiting for PennDOT acceptance of ECMS Engineering Agreement.

**HATS Curbs, Sidewalks and Drainage Improvements for SR 4008 & Middle Ridge Road**

PennDOT is working to confirm all water, sewer, stormwater, and any other required infrastructure locations are provided prior to proceeding. The current let date is November 6, 2025. The current PENNDOT funding amount is \$1.5 million and is 100% state funded.

**HATS, Sidewalks and Curb Ramps Improvements for 4<sup>th</sup> Street from Market ST to Fickes Lane**

Coordinating with Cl'm Halstead on designing curb ramps and sidewalk replacement, costs for currently planned work, determining if scaling back the project will be necessary, and assuring matching funding is available.

**Park Project Bidding Documents**

Met with Cl'm Halstead to finalize specifications and prep bid documents for advertisement for the park pathways project.

**6<sup>th</sup> & Caroline**

Met with Kirby Kitner on Thursday, June 6, 2024 to test water flow from inlets at the top of Caroline ST. Will need to meet with the Water Authority. Placed a PA-one-Call to map out utilities prior to any additional planning for excavation to create a trench or other solution, but is difficult to solve.

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

**6<sup>th</sup> Street Carwash inlet**

Inside wall of inlet collapsed and needs rebuilt. No sink hole started. Cody will rebuild before school starts.

Paving

Streets Paving Project spreadsheet includes sections of Spruce, sections of Catherine, and sections of Peach. Cost for milling and paving is estimated to be \$48,294.00. According to Rick Levan, District 8 Municipal Services Representative, \$160 per ton is estimated to be on the high side. Costs per ton are going for about \$120 per ton.

After reserving \$21,414.00 from ARPA for the remaining match for the HATS grant Phase 2 Project, the remaining ARPA funds are designated for the paving project which is approximately \$43,709.08. Liquid Fuels fund can be used to cover the remainder of the paving project estimated at about \$7,000 to \$10,000.

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Dudley to approve to spend the remaining ARPA funds of \$43,709.08 to pay for the Streets Paving Project and use Liquid Fuel funds to pay the balance, not to exceed \$50,000.00 for the total cost of the Paving Project.

Motion carried.

Market Street lights

The decorative lights on Market Street by The Hard Hat (Turnbaughs Bar) and Kauffman Service Center have not worked since the contractors working on the sidewalk ramp project hit the electric line. As previously mentioned under the Engineer's Report, PennDOT will be notified.

EMS (Environmentally Sensitive Maintenance) training

EMS training will be August 14 & 15, 2024. Cody Harris is now unable to attend. Tami Halstead will check to replace Cody with Daniel Harris. Tami Halstead will also be attending the 2-day training.

Borough Maintenance Garage Roof Quotes

Four (4) roof contractors were contacted, but only 2 responded with quotes.

Hominy Ridge - \$25,500.00

A2 Master Carpenters - \$18,850.00

Council requested another roof quote, so the discussion was tabled until the next council meeting.

**BID OPENING: VMP PATHWAYS PROJECT**

\$161,906.00 – All Options - G & R Charles Excavating

\$131,986.00 – Base Quote – G & R Charles Excavating

\$212,283.21 – All Options – Jay Fulkroad & Sons Inc.

\$160,308.74 – Base Quote – Jay Fulkroad & Sons Inc.

\$122,955.15 – All Options – Pro-Lawn LLC

\$ 86,636.15 – Base Quote – Pro-Lawn LLC

Pro-Lawn LLC has the lowest Base Quote Bid, but the Bid Bond was incorrectly made out to Newport Water Authority, which needs corrected to state Newport Borough.

**MOTION:** Cl'm Halstead moved, seconded by Cl'm Dudley to award the bid to Pro-Lawn LLC for the base quote of \$86,636.15, contingent on proper documentation.

Motion carried.

**APPROVAL OF THE MINUTES:** June 4, 2024 Regular Meeting Minutes.

**MOTION:** Cl'm Fickes moved, seconded by Cl'm Bucher to approve the June 4, 2024 Regular Meeting Minutes. Motion carried.

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

**Treasurer Damiano read the July Financial Report**

Newport Borough General Account balance July 1, 2024:	\$ 233,573.98
Deposit July 1, 2024: ACH Reality Transfer Tax	\$ 4,000.08
Payroll #14 – July 1, 2024	\$ 8,699.47
Deposit July 2, 2024 Parking Tickets	\$ 45.00
Deposit July 2, 2024	\$ 6,469.49

Outstanding bills presented for payment:	\$ 4,222.26
Estimated Income for balance of July:	\$ 10,000.00
Estimated Expenses for balance of July:	\$ 25,714.12
Estimated Balance July 31, 2024:	\$ 215,452.70

Liquid Fuels Account Balance July 1, 2024:	\$ 70,850.14
Outstanding Bills presented for payment:	\$ 80.13
Estimated Expenses for balance of July:	\$ 1,500.00
Estimated Balance June 30, 2024	\$ 69,270.01

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

**APPROVAL OF JULY’S BILLS TO DATE:** Treasurer Damiano

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

**SECRETARY’S REPORT:** Secretary Damiano

1. Attended 2 webinars and 3 on-site events. Have 9 upcoming webinars and 1 on-site events.
2. Pennian Bank loan payoff of \$879.25 was paid in-person at the Newport branch on June 5, 2024.
3. Updated APPI Energy/Enrion contact information, account numbers, and locations. There are 9 electricity accounts.
4. Contacted Perry County Pennsylvania website: Home – Perry County, PA to update Newport Borough’s contact information and add the borough website to their site.
5. Butz House Associates, LP signed the 2-year agreement for 4 parking spaces effective August 1, 2024 – July 31, 2026.
6. Orrstown Bank and Peoples Bank will be merging, but routing and account numbers will not change.
7. Posted the RTKL Fee Schedule on the borough website.
8. Updated the Zoning Permit Application and posted it to the borough website.
9. Insurance quote application with MRM Trust for Property & Liability has been submitted.

Adobe renewal due: \$179.88

Cl’m Dudley, the Website/IT Committee Chair, suggested cancelling and re-subscribing. The Administrators will be updated to the secretary, Shelly Damiano, and the Code Enforcement Officer, Michelle Tice. The PLIGIT card information will also be updated.

**MOTION:** Cl’m Dudley moved, seconded by Cl’m Fickes to cancel the current Adobe subscription and resubscribe the annual subscription for \$179.88, updating the administrators to Shelly Damiano and Michelle Tice and updating the PLIGIT card. Motion carried.

Upgrade from Microsoft Windows Home to Microsoft Windows Pro

SelecTech, the borough’s IT support provider, suggested the borough upgrade from Microsoft Windows Home to Microsoft Windows Pro. Cl’m Fickes, being on the Website/IT Committee, felt that the networking capabilities with the upgrade are not needed for this small borough at this time. Cl’m Dudley, the Website/IT Committee Chair, agreed.

Cl’m Fickes would like any future IT concerns to be brought to the attention of the IT Committee prior to bringing it up to council.

**CODE ENFORCEMENT REPORT:** Submitted by Officer Tice

Parking Tickets: 0 – Parking Warnings; 23 - \$15 Parking Tickets; 0 - \$25 Parking Tickets

Code Tickets: 10 – Code Warnings; 2 - \$25 Code Tickets; 0 - \$50 Code Tickets; 0 - \$75 Code Tickets

Citations: 1 citation for maximum fine of \$600.00 for accumulation of garbage.

Zoning Permits: 3

Handicap Parking Permit: 0

Webinar: 1 – VAD (Vacant Abandoned and Deteriorated) Academy

505 Walnut Street: Off-street parking: Curb Cutout

Resident requests council approval for a curb cut to create a parking area made of stone beside their home. The homeowner does not have back-alley access to their property. The ordinance requires 16', which the homeowner has enough room. Cl'm Halstead felt that a parking area on a property would save space on the street. Engineer stated the owner needs to stabilize the wall on the property first. Cl'm Shope would like to look at the location before deciding and Cl'm Fickes wants the wall fixed before approving a curb cut. Code Enforcement will compose a letter to the homeowner stating the wall will need to be fixed before council considers the curb cut. Cl'm Bucher, Code Enforcement Committee Chair, will approve the letter. The curb cut request will be put on the August 7, 2024 agenda.

National Night Out August 6, 2024: VMP Park 5 pm – 7 pm

The Code Enforcement Officer would like to set up a table with code enforcement coloring books and snacks.

Cl'm Dudley felt paying for the code enforcement officer to attend special events is no different than the secretary being paid to attend special events.

**MOTION:** Cl'm Dudley moved, seconded by Cl'm Leach for the code enforcement officer to be paid her hourly wage to attend National Night Out as a representative of Newport Borough. Motion carried.

Emergency Management Coordinator (EMC) and Deputy EMC were asked to have a table. Tami Halstead, EMC and Doug Beatty, Deputy EMC will be attending.

**CODE ENFORCEMENT COMMITTEE:** Cl'm Bucher

215 N. 5<sup>th</sup> Street

Citation 208-9 Ordinance: Accumulation of Garage. \$600.00 fine.

Rental Inspection Ordinance: Council Discussion

Examples were given of poor conditions on various properties and the landlord's responsibilities. Many tenants contact the code enforcement officer because they want her to come onto the properties and help them deal with poor conditions.

Mayor: Not suitable for occupancy. Not able to be rented. Need protection for the public in an ordinance.

Cl'm Shope: The borough does not have a professional inspector or an inspection ordinance.

Solicitor Dissinger: The Code Enforcement Officer is not qualified to be an inspector entering a home. Only a professional inspector should enter a home. If the code enforcement officer is invited in by the tenant, she can go in, but cannot make a statement of condition as she is not qualified.

Code Enforcement Officer Tice: Noted the Dangerous Property Ordinance as a possibility for pursuing unsafe properties. A borough property that had mold issues, the tenant moved out and BIU is working with the landlord, but only on the issues that relate to the building permit, not the mold. Would like to see the borough have a Mold Inspection to address these issues.

Cl'm Dudley: Asked about the State Department of Labor & Industry, but the solicitor referenced the District Judge legal services.

Mayor: Up to local ordinance defining what we do with properties. Falls on the local ordinances to set the standard and enforce them.

Cl'm Shope: Tenants having issues need to work it out between themselves and the landlord. The solicitor added that the Landlord/Tenant Laws refer to the courts.

Cl'm Frownfelter asked about the possibility of getting a code enforcement officer company phone. The present code enforcement officer does not want a company phone. Currently the borough pays a phone stipend each month. The solicitor did state that the personal phone could still be subpoenaed even if there were company phones issued. The IT/Website Committee will look into phone plans.

**ORDINANCE COMMITTEE:** Cl'm Leach

**Ordinance #385: Amending Chapter 215, Streets and Sidewalks, with Addition of Article IV: Sidewalk Cafes and Street Events**

**Ordinance #386: Amending Chapter 72 Alcoholic Beverages**

**Ordinance #387: Amending Chapter 55 Shade Tree Commission**

Council discussed the three (3) ordinances and possible changes. Cl'm Fickes obtained five (5) neighboring ordinances to create a Sidewalk Café Ordinance. An attorney was able to give a complimentary review of the proposed ordinance. Solicitor Dissinger reviewed the ordinances and likes the idea, but would like the borough to also review an Open Carry Ordinance.

Tabled all three (3) ordinances to give time for council members to review.

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

A CDBG grant was submitted by her for Veterans Memorial Park parking lots for a total of \$77,475.00. Next review was on June 10, 2024, by SEDA-COG and the commissioners. The borough did not qualify LMI and now can only apply for a CDBG grant for demolition projects unless an updated door-to-door Low to Moderate Income Survey is done. The grant application she created can be used to apply for other available grants.

**FINANCE COMMITTEE REPORT:** Cl'm Frownfelter

Expressed the possibility of paying bills online. The solicitor prefers checks. Cl'm Halstead stated two (2) signers are required currently and it has more accountability.

**WEBSITE/IT COMMITTEE REPORT:** Cl'm Dudley

Quickbooks Desktop Pro Plus 2024 was installed.

Cl'm Fickes and Cl'm Dudley explained the difference between Windows Pro versus Windows Home. The Borough does not need a network system, so they did not recommend upgrading at this time. Windows Home is sufficient.

The IT Committee will check out phone plans for the code enforcement officer.

**MAYOR'S REPORT:** Mayor Tice

Attended the Code Enforcement Committee meeting.

Attended the Streets Committee meeting to discuss the N. 5<sup>th</sup> Street resident water issues. Cl'm Fickes spoke to two residents, but will need help from Cl'm Halstead and the engineer. Cl'm Dudley stated that the sewer approved a camera company to do several pipe investigations so maybe this is a possible resource.

Met with George Hazzard of Juniata Valley Winery to discuss future plans for location on 2<sup>nd</sup> Street.

Met with Howe Twp. Supervisors to listen to a possible Warehouse Distribution Center that might be in the works in 2-3 years at Red Hill behind Tractor Supply. The business would employ an estimated 100 employees. The Water and Sewer will have involvement in future plans. The Howe Township Supervisors were glad to see a neighboring municipality come to their meeting, as no one ever does.

Will be attending the Perry County Chamber of Commerce Networking Event on Thursday, July 11, 2024, 5:30 pm – 7:30 pm at The Podium Awards, Newport.

Will be attending National Night Out on Tuesday, August 6, 2024.

**OLD BUSINESS**

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

Discussed earlier via Frank Campbell, NRPS.

**Perry County Association of Township Officials: 111<sup>th</sup> Annual County Convention**

Perry County Association of Township Officials: 111th Annual County will be held at the Perry County Fairgrounds on Saturday, September 14, 2024. The cost is \$20.00 per person. Anyone interested in attending will need to inform the secretary by tonight’s meeting. Registrations are due by July 19, 2024.

**Discussion of Parking Fines**

Cl’m Fickes will discuss at the end of the year.

**Ordinance No. 384 Repealing Ordinance No. 382 and Reenactment of Chapter 237 Vehicles and Traffic**

**MOTION:** Cl’m Halstead moved, seconded by Cl’m Dudley to approve Ordinance No. 384 which repeals Ordinance No. 382 and Reenactment of Chapter 237 Vehicles and Traffic. Motion carried

**NEW BUSINESS**

**505 Walnut Street: Off-street parking: Curb Cut**

Discussed under Code Enforcement. Curb cut approval tabled until wall is repaired.

**Intuit Account**

Designate Shelly Damiano, Secretary of Newport Borough, as the primary administrator of the Intuit Account.

**MOTION:** Cl’m Fickes moved, seconded by Cl’m Dudley to designate Shelly Damiano, Secretary of Newport Borough, as the primary administrator of the Intuit Account. Motion carried.

**Resolution #10-24 Destruction of Statements of Financial Interests from Municipal Years 2003-2005 and to take documents to be shredded**

**MOTION:** Cl’m Dudley moved, seconded by Cl’m Fickes to approve Resolution #10-24 Destruction of Statements of Financial Interests from Municipal Years 2003-2005, and to take documents to be shredded to the Juniata County Library. Motion carried.

**Resolution #11-24 Picture Perry Comprehensive Plan adoption of amendments and edits**

Cl’m Halstead explained that projects can be updated every year, and the borough would sign every year.

**MOTION:** Cl’m Dudley moved, seconded by Cl’m Halstead to Approve Resolution #11-24 Picture Perry Comprehensive Plan adoption for 2024. Motion carried.

**Resolution #12-24 Tax Collector Percentage Increase to 5%**

**MOTION:** Cl’m Dudley moved, seconded by Cl’m Bucher to Approve Resolution #12-24 Tax Collector Percentage Increase to 5%. Motion carried.

**South 4<sup>th</sup> Street Retaining Wall repairs**

South 4th Street retaining wall was sticking out in the street. Once 4<sup>th</sup> Street was opened, the contractor would not be able to repair so he was able to fix it while PennDOT had 4<sup>th</sup> Street closed. Fourth Street will be opened tomorrow by 3 pm.

**MOTION:** Cl'm Dudley moved, seconded by Cl'm Bucher to ratify the cost of the South 4<sup>th</sup> Street stone retaining wall repairs performed by Troy Forlizzi at the cost of \$1,750.00. Motion carried.

**Renew Adobe Subscription**-Discussed under Website/IT Committee

**Employee Policies**-Council members given current employee policies to take home, review, then discuss at a future meeting.

**Communications**

1. Water Authority Minutes and Financials of May 14, 2024
2. Newport Borough Municipal Authority Minutes of May 23, 2024
3. Newport High School Spirit T-shirt project: sponsorship information
4. Perry County Conservation District
5. Perry County Hazard Mitigation Plan

**Next Meeting Date:** Wednesday, August, 2024, at 7 p.m. A Mid-Month Meeting is pending for Tuesday, July 16, 2024.

**ADJOURNMENT:** Cl'm Dudley moved, seconded by Cl'm Fickes to adjourn at 9:23 p.m. Motion carried.

Respectfully Submitted,

Shelly Damiano,  
Secretary/Treasurer