

**BROWNSVILLE BOROUGH
FAYETTE COUNTY, PENNSYLVANIA**

APRIL 10, 2019

The Regular meeting of the Council of the Borough of Brownsville was held this evening in the Council room at the Municipal Building. The meeting was called to by **President-Jack Lawver** at 6:00 P.M. by reciting the Lord's Prayer and the Pledge of Allegiance to the flag of the United States of America.

The following members were present: **Jack Lawver, Robert Kovach, Lester Ward, James Lawver, Ronald Wakewell and Paul Synuria,**. Also present was: **Elizabeth Lawver-Borough Manager/Treasurer and Sam Defalso** –Solicitor.

RECOGNITION OF VISITORS:

Renee Walmsley-Brownsville American Legion Post 295 regards to the flea market they are conducting every Saturday. They changed time from 8:00 AM -2:00 PM. She presented a drawing of location and use of space after contacting Jack Lawver and was told by the police officer that they can't use the sidewalks. A discussion continued where they were permitted to set up. Motion by **Lester Ward**, second by **James Lawver** to approve the spaces on the drawing. James Lawver remarked that permits are required for yard sales adding that this would not be required for the flea market and included this in the motion. Mr. Synuria asked if they were permitted to use the one section of the parking lot, but not sidewalks on Brownsville Avenue which is included in the motion. Mr. Kovach questioned who was responsible to block off the area for the setting up the barrels and removing the trash. Renee stated this is taken care of. Mr. Kovach also added if the insurance rider had to be done weekly but Renee stated the rider was for the whole time. Mr. Synuria asked for them to be out of there by two o'clock if someone else wanted use of the lot. Renee asked about the use of the stage should a band be interested in coming. Mr. Lawver informed her that this was okay unless something else is scheduled. Mr. Kovach informed her that they would have to fill out proper paperwork and supply the required insurance coverage to the Borough. Jack Lawver advised her to come to the office to fill out the proper paperwork, should this occur. Motion carried. Mr. Synuria commented that it was POM's decision not to come back.

Mary Ann Tubak-Pine Street complained of the next door neighbors running dirt bikes loudly and constantly between 6:00 PM and 9:00 PM week days, weekends and holidays. She contacted Stush who told her they would need to catch them in the act and that the best time to call and complain was a Thursday which she had done and was told that the Brownsville Police was not on duty so 911 sent her call to the State Police who informed her that it would be several hours before they could answer this call and by that time they probably would have stopped. At this time she felt that nothing was going to be done. James Lawver informed her that the bikes have to be licensed and that the Borough has a noise ordinance as well as a disturbance of the peace one as well. Jack Lawver informed her to get pictures and complain through the police department. Paul Synuria commented that bikes must be licensed to be on the road and if they are on the roads unlicensed, they should be cited and brought before the magistrate. The magistrate who spoke at the neighborhood watch meeting said that pictures are worth a thousand words and you could file a complaint through the magistrate's office. The Solicitor stated that it is a simple form which the police could do this for her and file on criminal day at the magistrate's office. Mr. Synuria asked if the dirt bikes were not allowed on alleys, yards and etc. Jack Lawver informed him that they must be licensed to be on any type of roadways. She was told that it is definitely a police matter.

James Lawver makes a motion to approve the March 13, 2019 minutes. **Paul Synuria** seconds the motion. Motion carries.

Mayor's Report: March 2019-\$2,141.50 (Police \$1,584.48 / CEO \$557.02)

April 2019 -\$1,826.91 (Police \$1,591.21 / CEO \$235.70)

James Lawver makes a motion to approve the mayor's reports. **Lester Ward** seconds the motion. Motion carries.

FINANCE & ADMINISTRATION:

Chairman, **Lester Ward**-Financial Report for April 2019: Department Bills \$9,488.72, Utilities \$19,139.05 for a total of \$28,627.77. Account balances as of 03/29/19. Spendable Accounts: Money Market \$1,418.10, Liquid Fuels \$115,137.75 and General Fund \$12,825.44 for a total of \$129,381.29. Accounts allocated for Specific Projects: Payroll \$16,010.08, Police Pension Fund \$30,643.37, Fire Escrow \$227.42, K-9 \$3,725.09, Northside Park Project \$11,112.85 and Act 13 \$23,797.05 totaling \$85,515.86.

Lester Ward makes a motion to pay bills. **James Lawver** seconds the motion. Roll call: **Paul Synuria**, yes; **Ronald Bakewell**, yes; **James Lawver**, yes; **Robert Kovach**, yes; **Lester Ward**, yes and **Jack Lawver**, yes. Motion carries. **Lester Ward** notes that we had the 2018 Audit completed and published as required and that we finished the year in good shape but would continue to conserve the few dollars that we have. He stated the financial reports are due May 1st. The Solicitor remarked that it is their responsibility to fill these out and hand them in, not the secretary. Due to having several police pension accounts a suggestion was made that the BB&T account be transferred to the Mass Mutual account. **Lester Ward** and **Ronald Bakewell** had tried to get this set up with PSAB but were not successful. **Robert Kovach** makes a motion to have the transfer made. **James Lawver** seconds the motion. Roll call: **James Lawver**, yes; **Robert Kovach**, yes; **Lester Ward**, yes; **Jack Lawver**, yes; **Ronald Bakewell**, yes and **Paul Synuria**, yes. Motion carries. **James Lawver** stated the office copier is not working properly and is need of a new one. Manager/Treasurer explains the company where we purchased the copier was sold and the new company will not honor the prior agreement. **Lester Ward** tried to get this resolved and noted that it would cost \$150.00 plus parts to have this repaired and that we should look into purchasing a new one. **Ronald Bakewell** asked about Staples and **Lester Ward** said he would check into this. **Jack Lawver** recommended that this be done and have action taken at the next meeting.

INFRASTRUCTURE:

Chairman, **James Lawver**- Mr. Roberts of 412 Shaffner sent a request for a handicap parking space. **Lester Ward** stated in the past, the Chief of Police would check this out. **Robert Kovach** stated this was brought up before and the Chief Jablonsky said he had nothing to do with this. **Jack Lawver** suggested to have the street department check this out. **James Lawver** makes a motion to comply with request, providing there is room. **Paul Synuria** seconds the motion. Motion carries. **Lester Ward** congratulated the Infrastructure Committee for taking care of Hollow Road. **James Lawver** stated that he had met with the Gas Company and they understood our ordinance adding to take note of Water Street. **Robert Kovach** remarked that they need to seal it.

PUBLIC SERVICE:

Chairman, **Paul Synuria**- Calls for service: Township-4, Borough-60, Out of Town-4 Total 68; Citations: Township-6, Borough-97, Out of Town-0 Total 103; Incidents: Township-0, Borough-6, Out of Town-0 Total 6; People arrested-1 and Transport of Prisoners-1. Unit #1-450 miles and Unit #3-736 miles. Total miles placed on vehicles: 1276. **Paul Synuria** makes a motion to send Chief Jablonsky and Lt. Brant to be measured for new vests and money to be paid from the K-9 fund. **Lester Ward** asked if Brant's would be paid for in full and was told yes. **James Lawver** seconds the motion. **James Lawver** added that if it gets damaged at other departments that they would have to pay for it, which was included in the motion. This does not include part-time officers. Roll call: **Paul Synuria**, yes; **Ronald Bakewell**, yes; **James Lawver**, yes; **Robert Kovach**, yes; **Lester Ward**, yes and **Jack Lawver**, yes. Motion carries. **Paul Synuria** remarked that because of the recent theft that had taken place in the downstairs he was looking at the doors and more than several doors had been jimmied open and took pictures and made a motion to have the doors that are marked repainted in that area so that we can make sure that someone isn't doing this again. **James Lawver** seconds the motion. **Ronald Bakewell** questions if there is a continuing litigation on this before we cover it up. **Paul Synuria** stated he would talk to the State Police to see if there is an ongoing investigation and after the investigation is over and they okay it then to paint them. . Roll call: **James Lawver**, yes; **Robert Kovach**, yes; **Lester Ward**, yes; **Jack Lawver**, yes; **Ronald Bakewell**, yes and **Paul Synuria**, yes. Motion carries. Motion by **Paul Synuria** and seconded by **James Lawver** that if anyone is caught breaking into a door that they don't have a key to that there is some sort of discipline such as breaking and entering. **Ronald Bakewell** asked if we really have to go into this as it is public knowledge if breaking down a door that you don't have key for, you are going to jail. **James Lawver** stated this reinforces this adding that a letter should be sent to both unions and one put into all employees paychecks as well as elected officials. Motion carries. **Paul Synuria** stated that the Lapisardi's had never given the Borough permission to keep the police car in the garage and as he was upset that the police car was still being parked there. He called them and they informed him that it is fine and they would have had no problem had they been asked but did now as their stuff had been stolen. **Paul Synuria** reported that some people had put pictures on Facebook since Sunday there have been four calls to 911 that the Union Station building, the hospital, the bank across from the Flatiron and the church and questioned if we can adopt an ordinance that if someone is caught in the building that is not supposed to be there that they be fined since they posting it on social media adding that he is aware that if crimes are being committed after posting some are being fined. The Solicitor asked if they were being fined by the state and is thinking that this being done by the state and would check if this could be done locally. **Lester Ward** stated that right now there is no ordinance that says it is criminal to go into those buildings and in fact the Borough does not own the buildings. **Jack Lawver** stated the buildings are und the Redevelopment Authority. The Solicitor stated that the owner of the building can file for breaking and entering. **James Lawver** stated that the magistrate informed us that regarding

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The Baptist Church since there is no living church person, if someone was caught in there and fined that he would let them go because there is no one to testify. The Solicitor stated he would look into it to see if we can make it a local violation and if the magistrate throws it out, we can appeal it as a summary appeal. Motion by **Paul Synuria** and seconded by **James Lawver** to have Solicitor look into an ordinance to stop people from going in to the buildings. Motion carries. Connie Gore stated that the Mayor had been contacted regarding someone in the church and had told them to leave but they had come back. Jack Lawver stated that they didn't have to as he had no authority to remove a poacher. Jack Lawver stated that the elected officials do not have the authority to approach anybody about any kind of law as it has to be law enforcement. She stated the police were not on duty. She was told to call 911 to get it on record. Jack Lawver reminded her that their authority is only in this room and once they walk out the door, they have no authority. She continued to argue and James Lawver asked to move on with the meeting. Paul Synuria asked if they make someone into one of those building can we make sure to ask them not to post on social media. The Manager/Treasurer asked if that would stop them. Paul Synuria commented that he thought if asked they would comply. Jack Lawver stated that there were pictures of him in the Union Station building which was with a group several years ago and had been allowed by Andrew French of the Redevelopment Authority. Engineers and contractors have gone into the buildings for assessments of the roof. State monies are involved as the Pittsburgh Historic Landmark is in charge of this and no one is permitted inside adding people know that we only have police officers at certain periods of the day. Ronald Bakewell questioned if the new police car belonged to Brant. Paul Synuria stated he doesn't know. Ronald Bakewell ask why he was the only one that drives it. Lester Ward stated that he has seen Jablonsky drive it. Paul Synuria asked if cameras could be put back in the police cars. Jack Lawver informed him that yes they can as it is a safety issue adding that a motion was made when they purchased the car to do this and could check how much we have left from the K-9 fund after the vest purchases. James Lawver stated that a police officer in another department purchased one at a cost of \$978.00. Jack Lawver stated that there will be enough to put cameras in the cars. The Solicitor remarked that the policy would have to be in place. Lester Ward remarked that from January through March we have had zero on Friday and Saturday nights and might want to have the schedule changed s that we can have these nights be covered and suggested meeting with the Mayor to come up with times for these nights when needed most. James Lawver stated that this is in the Borough code. Ronald Bakewell remarked especially Friday and Saturday nights. Paul Synuria stated they tried to interview two police officers and neither showed up. Jack Lawver stated that they needed to direct the Mayor that we want police protection Tuesday through Saturday daylight hours and Wednesday through Saturday at nights. James Lawver stated that you start to get calls around ten o'clock. Robert Kovach remarked police are on duty Sunday mornings when people are going to church. Jack Lawver asked if they wanted to wait to talk to the Mayor or take action now. James Lawver stated that they already talked to him. Lester Ward recommended that the Police Committee conduct the interview for applicants as Council has the authority to hire and fire. Jack Lawver stated that anyone can sit in on the interview. James Lawver suggested two phone calls be made with someone else verifying it and if they don't get back to automatically disqualify them. Jack Lawver remarked that they had waited almost an hour for the last one who didn't show up. Lester Ward stated that this person had notified someone that he couldn't make it but it was not relayed to them. James Lawver stated that the office should be notified. Motion by **Lester Ward**, seconded by **Paul Synuria** that the Police Committee handle the interview and hiring process as to phone calls, hiring and etc. Motion carries. Jack Lawver asked if they wanted to act on the scheduling. Paul Synuria asked if the motion could be amended that if there is no response within the next two weeks that we just go on. James Lawver reminded them that in the contract that their schedule must be done two weeks in advance. Robert Kovach asked if this meeting was with Council. The Solicitor informed them that if the meeting was with Council this would have to be advertised. Jack Lawver stated that if this happens and you get into a personnel action you call for an executive session. Paul Synuria added that it is his understanding that Nick may be coming back. If neither he nor Lester available the Chairman will conduct the meeting. Motion by **Robert Kovach**, second by **Lester Ward** to meet with the Mayor concerning the schedule and if this doesn't happen within the next two weeks the Committee will act on the schedules and present it to the Mayor and Chief Jablonsky. Motion carries.

BUILDING & GROUNDS:

Chairman, **Robert Kovach**- I received two quotes for the demolition of the buildings that were discussed at the last meeting. I would like to make a motion to go with Lee's Plumbing for the two and half building demolition at a cost of \$7,975.00 adding that Liquid Fuels monies can be used for preparations for a salt shed. **Ronald Bakewell** seconds the motion. Roll call: **Paul Synuria**, yes; **Ronald Bakewell**, yes; **James Lawver**, yes; **Robert Kovach**, yes; **Lester Ward**, yes and **Jack Lawver**, yes. Motion carries. **James Lawver** leaves at 7:00 PM for work reasons. Robert Kovach stated that he is working on a key control policy and would like to get with Jack, Lester and Libby to rewrite the current one since it is very vague. We do not know who has keys and who has keys that shouldn't. When someone moves on or to another position they need to surrender their keys back to the Borough. He cannot enforce the current policy if he doesn't have a key to give those who need one. The Manager/Treasurer added the office should have a key to every lock in the buildings. Robert Kovach stated he wanted this done in view of our recent problems. Paul Synuria

remarked that the door to the police is not the one that was previously given. He was told that it never was. Jack Lawver informed him that prior practice was for the Council to have a key to the front door, the council room and the bathroom. Some elected officials have left and did not return their keys. Robert Kovach wanted a name for the keys. The Manager stated that a receipt was given once they turned in their keys. Ross did start a key control policy and it was never followed through. Jack Lawver reported that B & M Electric, who always donated their services, was contacted about putting the LED lights for the fixture in the middle of town and they gave a price of \$716.00 to replace the larger lights. Motion by **Robert Kovach**, second by **Paul Synuria** to approve the \$716.00 to replace the lights in the light fixture in the middle of town. Roll call: **Robert Kovach**, yes; **Lester Ward**, yes; **Jack Lawver**, yes; **Ronald Bakewell**, yes and **Paul Synuria**, yes. Motion carries. Ronald Bakewell questioned if that is on a timer or separate switch. Robert Kovach informed him that it is on a timer. Lester Ward questioned the auto locks on the doors. Robert Kovach stated two would be needed and will get a price adding that it will be for the police station and the Borough office adding that the wiring would have to be decided on and who would be responsible to open. Jack Lawver questioned if this is for multiple doors would it be designated so. Robert Kovach informed him that it would and would be a dual system and are looking at about \$1500.00.

UTILITY SERVICES:

Chairman, **Ronald Bakewell** – Ronald Bakewell thanked Robert Kovach and his group for getting some potholes done.

ECONOMIC DEVELOPMENT:

Chairperson, **Tracy Zivkovich** – Not Present. Woody's Report by **Lester Ward**: Complaints, 27; Inspected Houses, 8; Court Hearings, 7; Citations issued, 56; and Letter Sent, 4. Jack Lawver reported that the caboose will be moved as they are clearing the lot. The lot will be cleared and trees removed by a good group of volunteers. The caboose will be sitting on a concrete slab. Just to move the caboose thirty years ago the cost was \$70,000.00. He stated if it were not for the County Commissioner and Muriel Nutter of the Fayette County Chamber of Commerce, this would not have happened. **Robert Kovach** makes a motion to send thanks you letters to the three commissions and Muriel Nutter. **Paul Synuria** seconds the motion. Motion carries. Jack Lawver reported that the first phase of the castle parking lot will be fixed. Robert Kovach questioned if the road that comes around is a Borough road. Jack Lawver stated that it is Second Avenue and it is a Borough road. Robert Kovach gives kudos to the commissioners for having this done. Jack Lawver states the commissioners are close to having enough money to tear the old hospital down. Paul Synuria asked if the Borough could give permission to burn on days other than Saturday. Jack Lawver stated that in the past we have left it at the discretion of the fire chiefs and if there were no complaints. Jack Lawver reported that Joe Barantovich is spearheading cleanup day on May 4th and meeting at the parking lot at 8:30 AM. They are looking at getting at every place possible cleaned up and asking residents to clean up outside of their residences. Donations have been received. He asked Jim to schedule the street department to help with machinery and trucks. May 18th is scheduled for planting and volunteers are needed. Lester Ward reported that we are still doing work on the rental ordinance so that we can get this adopted even if we call a special meeting to get it moving.

LIBRARY:

Representative, **Paul Synuria** – The story time is still Wednesdays at 11:00 A.M. thru May 1st. Today was a meeting at the zoning board so that the Students in Action could move forward. The meeting went well.

FIRE COMPANIES:

Representative, **Jack Lawver** – There will be a meeting at the Sons of Italy on April 20th regarding the ISO rating for the fire companies.

TAX BUREAU

Representative, **Lester Ward** – Had nothing to report. Jack Lawver stated they are working with the Solicitor on setting up a tax committee to help with the late tax collections in addition to trying to set up a meeting with the commissioners, solicitor, tax collectors and himself.

CORRESPONDENCE:

Jack Lawver reported a lady from Hummel Street stopped in and left pictures of a house with a horrendous amount of 4.

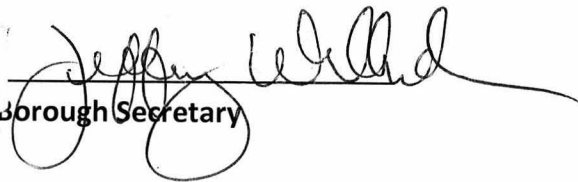
Garbage and suggested to have Woody to contact the real estate company as there probably would be a rat problem if this wasn't take care of and call our garbage company to remove it and apply the bill to the fine. / Tri-County Boroughs Association / Pat Purcell (Thanking the Borough for the improvements at the Northside Park. Robert Kovach stated there still needs a new top coat and hoops for the basketball court. Jack Lawver stated this will need done through another grant. / PA American Water / Andrew Roberts (Handicap Parking) / Jack Lawver reminded those present not to fort the ethics report. The Tri County Association meeting is on May 4th at the Sons of Italy at a cost of \$15.00 per ticket. Motion by **Lester Ward**, seconded by **Paul Synuria** to approve a \$25.00 ad in the brochure. Roll call: **Paul Synuria**, yes; **Ronald Bakewell**, yes; **Robert Kovach**, yes; **Lester Ward**, yes and **Jack Lawver**, yes. Motion carries. The Manager informed Council that she had met with an adjuster form EMC Insurance. He wanted to go through all the buildings and wants to present a fleet insurance policy for the Borough to dopt. Paul Synuria stated he had spoken with Andrew French about this John Walters and the B-Bob Lumber building and he said he is not comfortable with going forward with a lease process adding that he needs a guarantee that he isn't going to take things out of the building and leave a bunch of garbage. Jack Lawver stated that they had required he give them some proper information and that a letter was to be sent.

OLD BUSINESS:

Robert Kovach reported that at the last meeting they had said it was okay to get an ordinance for the brake retarders and he had talked to PennDot and they advised him that the first thing we should do was write them a letter asking for a study. He felt that it would be beneficial if the Borough got with Brownsville Township and ask them to go in cooperation with us on this problem. He wanted the letter combined with the Township. The Solicitor stated the person to send the letter to was Brian Walker.

NEW BUSINESS:

Motion to adjourn by **Robert Kovach** and second by **Paul Synuria**. Motion passes.


Borough Secretary

TREASURER'S REPORT

REGULAR GENERAL FUND

BANK BALANCE	03/29/19	12,825.44
Outstanding Checks		<u>183.80</u>
BANK BALANCE	03/29/19	12,641.64
CASH BALANCE	03/01/19	33,814.92
Receipts		<u>17,219.15</u>
		51,034.07
Expenditures		<u>38,208.63</u>
CASH BALANCE	03/29/19	12,825.44

MONEY MARKET ACCOUNT

BALANCE	03/01/19	1,428.05
Interest		<u>.05</u>
		1,428.10
Transfers		<u>10.00</u>
CASH BALANCE	03/29/19	1,418.10

MARCH 2019 RECEIPTS

Mayor Ross Swords	(Fines/Forfeits)	1,584.48
Code Enforcement	(Fines/Forfeits)	557.02
Brownsville Police	(Parking Violations)	60.00
Various	(Occupancy Permits)	160.00
Various	(No Lien Report)	45.00
County of Fayette	(Delinquent RE Tax)	2,686.11
Clerk of Courts	(Fines)	107.61
Recorder of Deeds	(R.E. Transfer Tax)	424.53
SWRTB	(EI Tax)	10,057.13
SWRTB	(Delinquent Per Capita)	64.08
SWRTB	(LS Tax)	33.95
Fraternal Order Of Eagles	(Gaming Permit)	1,300.00
Mister Sewer	(Street Opening Permit)	61.00
McKean Plumbing	(Street Opening Permit)	61.00
Interest Credit		<u>17.24</u>
		17,219.15

MONTHLY BILLS MARCH 2019

FINANCE

Herald Standard	428.80
Quill	125.17
Dodaro, Matta & Cambest, P.C.	1,150.00
Sprowl's Insurance	764.00
Tri County Boroughs Association	25.00
Quickbooks	219.95

BUILDING

Terminex	40.00
Do It Best	137.00

CODE ENFORCEMENT

RECREATION

POLICE

Bevard	393.60
Luzerne Township	50.00
S & D Calibration	60.00
Lexis Nexis	148.01
Gaydos-Behanna Kennels	305.00

STREET

Bevard	287.01
Tennant	698.50
PA One Calls	11.84
Hei-Way	2,248.77
J.G. Services	61.13
Fayette Parts	997.62
US Municipal	549.57
Do It Best	202.97

FIRE

Center Independent North Side Fire	369.87
Center Independent South Side Fire	214.91

Total \$9,488.72

