

**BROWNSVILLE BOROUGH
FAYETTE COUNTY PENNSYLVANIA
AUGUST 12, 2020**

The Regular meeting of the Council of the Borough of Brownsville was held this evening at the Sons of Italy in Brownsville. The meeting was called to order by Tracy Sheehan Zivkovich at 6:04 P.M. by reciting the Lord's Prayer and the Pledge of Allegiance.

The following members were present: Council President Tracy Sheehan Zivkovich, Council Vice President Paul Synuria, Jack Lawver, Lester Ward, Barbara Pfeffer, Jackie Jackson, and Beth Bock. Mayor Ross H. Swords, Jr. was not present.

RECOGNITION OF VISITORS

MIKE & NANCY PETON: Mike and Nancy Peton have a "paper alley" behind their home, and they are concerned their neighbor may acquire it and stop them from entering their own property. They would like to purchase it if possible.

Solicitor noted that Engineering and advertising must be done to purchase the "paper alley" and the Borough would have to do so to vacate it. Nancy Peton noted that her neighbor spoke with the police and was asked to move his truck and they noted it was a "right of way" which may or may not be accurate. Jack Lawver noted that the neighbor of the Peton's was a prior issue here and sent letters to the Council members telling them to say off of his property. Any resident who would be bordering this property is able to discuss this matter with Council.

Jack Lawver asked that if we "vacate" the alley, would the Peton's have access to their garage? The Peton's concern is that the neighbor could build there or block them. Solicitor noted that for the Peton's to acquire this, they would need to advertise at about \$165, the Solicitor's fee around \$200, and an Engineer/Surveyor at an unknown cost.

Paul Synuria asked if they could split the alley with the neighboring properties, is it possible the neighbor could make things worse than they currently are. It seems that this may open the door to another issue. Jack Lawver stated a fence may be the only way to keep the neighbors off the property. Mike Peton asked about the setback to put a fence in, which Jack Lawver noted was different in alleys than it is in main streets.

Solicitor's recommendation is that we have the neighbor removed if he blocks the alley.

The Peton's noted that adjacent to the property are Borough steps that have a main sewage line on it. The Peton's have maintained it for the past 21 years. The sewage line broke there a few years ago. Tracy Sheehan Zivkovich noted that the Borough owns several pieces of property that we will incur costs on when we sell them. Jack Lawver reminds the Petons that if it stays as it is, the police can help with keeping the neighbor from blocking it. If the Peton's buy it, it becomes their issue as it is no longer a Borough-owned alley. Tracy Sheehan Zivkovich noted that the Borough is willing to work with the Peton's to do what they want to do, and Jack Lawver reiterated that point. Beth Bock stated that blocking an alley would be the same as blocking any road.

MINUTES

Tracy Sheehan Zivkovich presented the July 8, 2020 minutes. Motion to approve by Paul Synuria, second by Jackie Jackson. All in favor. Motion passed.

MAYOR'S REPORT

Nothing to report.

FINANCE & ADMINISTRATION – LESTER WARD

Lester Ward noted the bank balances at this time total \$304,882.28, including General Fund \$193,096.89, Payroll \$2,341.37, Money Market \$42.49, Act 13 \$18,605.65, K-9 Fund \$3,757.31, Fire Escrow \$187.42, Northside Park Project \$0, and PLGIT \$86,851.15.

Solicitor questioned why the Fire Escrow has a balance, and noted that it should not have a balance. Melissa S. O'Brien to check into the past deposits and see where it belongs. Jack Lawver believes the Elk's building may be the last escrow money that we received.

The investment accounts total \$494,672.90, including \$462,491.29 in Mass Mutual and \$32,181.61 in BB&T.

Monthly bills paid this month were \$45,080.23. Paul Synuria noted that the Gaydos bill is on our report, but we no longer have a contract with her. Beth Bock found a new kennel.

Paul Synuria makes a motion to terminate the Gaydos-Behanna contract. Second by Jack Lawver. All in favor. Motion passed.

Lester Ward asked Melissa S. O'Brien to forward the last invoice to Council via email.

Bills that still need paid total \$26,126.64, which includes \$11,189.14 that needs paid by the end of this month, and the remainder are long-term bills. Motion by Lester Ward to pay bills due by end of month, totaling \$11,189.14. Second by Paul Synuria. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, yes; Beth Bock, yes; Barbara Pepper, yes; Jackie Jackson, yes. Roll call vote was unanimous. Motion carried.

Lester Ward noted that we have outstanding bills in the amount of \$14,937.50 and would like to pay them in full. Motion by Jack Lawver to pay them in full, second by Jackie Jackson. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, yes; Beth Bock, yes; Barbara Pepper, yes; Jackie Jackson, yes. Roll call vote was unanimous. Motion carried.

Tracy Sheehan Zivkovich asks Council to review the updated budgets in the packets, and review them monthly in preparation of next year.

CODE ENFORCEMENT – LESTER WARD

There were 42 total complaints this month, 0 home inspection, 6 court hearings, 69 citations, and 6 letters sent to residents. Fines and fees totaled \$174.15.

BUILDINGS & GROUNDS – PAUL SYNURIA

Paul Synuria noted that Beth Bock spoke with the Magistrate and we now have forms at the Borough building for community service.

Myron Nypaver flew drones and we are waiting to see that.

PUBLIC SAFETY – BETH BOCK

Beth Bock noted that for the month of July, the mileage was 614 on Unit 1 and 840 on Unit 3, for a total of 1,454 total miles. Additionally, the Police Department had 109 calls for service, 20 total incidents and 39 citations issued. There were 6 arrests and 0 transports.

STREETS – JACK LAWVER

Jack Lawver gave an update on the Northside project. Jack Lawver, Barbara Pepper and Paul Synuria met with Columbia Gas and came up with a solution to fix the curb, and pave a portion of the street. Jack Lawver spoke with a property owner and they requested a replacement not a repair. There is approximately 75 feet of brick road that needs repaired, and we are unsure of how this will be handled at this time.

Tracy Sheehan Zivkovich noted that we received a complaint from a resident regarding the stop sign on Front Street/Sixth Avenue, and we are moving forward with fixing that.

Jack Lawver noted the Catherine Avenue project has started. Cemetery Road is bad and there is subsidence there. Jack Lawver is not sure what the solution is – paving it, filling potholes, adding a barrier where the subsidence is. Something needs done. The drains were cleaned and are working well.

Jack Lawver makes a motion to seek proposals on collapsed storm drain pipe on Sixth Avenue. Second by Barbara Pepper. All in favor. Motion passes. Lester Ward asked what the cost would be, which is unknown.

Jack Lawver makes a motion to seek proposals on collapsed storm drain pipe on High Street. Second by Lester Ward. All in favor. Motion passes.

Beth Bock asked if this was the same as the catch basin, to which Jack Lawver stated it is not. Jack Lawver also stated the High Street project is more of a concern and should be done first.

Jack Lawver makes a motion to repair the catch basins on High Street, Water Street & Fifth Avenue. Second by Paul Synuria. All in favor. Motion passes. Paul Synuria asked about having someone look at another drain that has a hole in it. Jack Lawver stated our Street Department could take care of that.

Jack Lawver makes a motion to adopt the Dye Test Ordinance. Second by Jackie Jackson. All in favor. Motion passes. Solicitor reminded us to file signed ordinances at the Law Library. Melissa S. O'Brien asked Solicitor for the ordinance in order to get it signed and filed. Also, we have to get a copy to the sewage authority.

RECREATION – JACKIE JACKSON

Jackie Jackson is seeking sponsorships from Walmart and Team Humanity for the playground work.

Jackie Jackson wants to use Terry McMillen as the engineer, as opposed to using K2. Jack Lawver stated the prior grant was turned down because of lack of parking. Lester Ward reminded Jackie Jackson that we have to question if it is billable. Tracy Sheehan Zivkovich noted that a project engineer can design and develop it, but K2 would follow up as the Borough's engineer. Jack Lawver stated that Jackie Jackson applied for money through the redevelopment authority and they often use McMillen anyway. Jackie Jackson said she will follow up with McMillen and get some costs on the project.

ECONOMIC DEVELOPMENT – BARBARA PEFFER

Barbara Pepper noted there is a proposal on Aubrey and Cadwallader that a resident is interested in. Barbara Pepper would like to advertise it. Parcel #02-06-0046

Barbara Pepper makes a motion to put the Aubrey & Cadwallader property up for bid. Second by Beth Bock. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, yes; Beth Bock, yes; Barbara Pepper, yes; Jackie Jackson, yes. Roll call vote was unanimous. Motion carried.

Barbara Pepper noted the upset price is \$3,460, and asked what an appropriate minimum bid would be. Solicitor and Council agree that \$500 would be a good starting bid. Bidders must have no citations or back taxes owed.

Barbara Pepper has been talking with Muriel Nuttall regarding tourism. She has also met with people from St. Peter's, the Train Museum, the Melega Art Museum, the Heritage Art Museum, the Castle, and the Historic Society to set up historic tours, and they are all on board with being open at a set time, same time, so that we can propose this to the Chamber. We have looked into getting a mini-bus, keeping tours limited to 20 people. If this goes well, we would look into other tours. Everyone seems excited about this at this stage.

Barbara Pepper noted that McMillen did a pro bono review of the Union Station building. Barbara Pepper has had a few investors approach her, but with provisions, such as finding lessees. There is another investor interested in a possible partnership. Barbara Pepper would like to thank McMillen for their volunteer work on this project. If anyone would be interested in leasing space here, they should contact Barbara Pepper. The investors are working on a 3D scan of the building to show potential investors or lessees what the final project will look like.

Barbara Pepper noted the Maria's Lovers house has electricity updated, and over the next month or so, they should have HVAC installed and all utilities on. They are on track for end of year completion, and have advance bookings for an Air B&B already.

Barbara Pepper makes a motion to have the Solicitor review the Shady Avenue proposal to see how we can get the properties up and running. Second by Paul Synuria. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, yes; Beth Bock, yes; Barbara Pepper, yes; Jackie Jackson, yes. Roll call vote was unanimous. Motion carried.

Barbara Pepper spoke about Team Liv and the fundraisers. There will be a spaghetti dinner on September 12 at St. Mary's Social Hall, tickets will be sold at the Parish, contact Annette Buffer. Riverside Market will be doing a 3-minute shopping spree, tickets to be sold at the Market. There will be a bake sale, Penncraft market donated sheet cakes, 50/50 drawing, and Chinese auction baskets. There will be small and large dinner options, take out and eat in. Contact Annette at 724-561-5616, Holly Swift at 724-984-5847, or Melissa Ternitsky at 724-208-8223 for spaghetti dinner tickets.

LIBRARY – PAUL SYNURIA

The library is open to the public. They are taking precautions with hand-washing and mask wearing. There is a new book order coming in this week, so stop down.

FIRE DEPARTMENTS – BETH BOCK

Beth Bock noted Northside's total number of incidents for July were 37 and total alarms for 2020 were 182. Southside had a total of 35 incidents this month.

Northside received a grant for approximately \$58,000 for an exhaust system. South Brownsville received a grant of a generator with telescoping lights which will help at fires. Northside is doing food trucks for fundraising.

TAX BUREAU – LESTER WARD

Paul Synuria asked if anyone would be attending the Appeal Hearings on August 18. Solicitor noted that she typically does not attend hearings unless the property values are over \$500,000. Lester Ward will attend the hearings.

One of the properties is the bank building, where there are residents but no occupancy permit. Jack Lawver noted the fire suppression and fire alarm systems do not work. Jack Lawver asked what the Solicitors argument would be if we asked her to attend these hearings.

Tracy Sheehan Zivkovich stated that Lester Ward attending would be beneficial for us to know first hand what happens, but if they will not allow him to speak, we have no argument there. Jack Lawver asked if we could split costs with the school district to attend the appeal, but we are unable to split costs on solicitor fees.

Beth Bock noted that Reverend Tim asked to move the hearing dates as he would not be here.

Paul Synuria makes a motion to send Solicitor to the hearings. Second by Lester Ward. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, yes; Beth Bock, yes; Barbara Pepper, yes; Jackie Jackson, yes. Roll call vote was unanimous. Motion carried.

CORRESPONDENCE

Tracy Sheehan Zivkovich noted there is a letter from Eric Johnson, which we discussed above under the Street Department.

OLD BUSINESS

Tracy Sheehan Zivkovich reminded Council that several months ago, we hired Dennis Martinak for a multi-community grant, and due to COVID, they are just sitting in Harrisburg with no movement.

Tracy Sheehan Zivkovich noted the Redevelopment Authority put out bids on the demolition on the Northside projects. Moving forward on this will be a positive move. The \$300,000 grant starting on the Northside and any other monies left would follow Brownsville Borough.

NEW BUSINESS

The Perennial Project had an overall cost of \$30,000 and the county gave \$20,000. Tracy Sheehan Zivkovich is asking Council to put the other \$10,000 in. This will allow students and teachers from Brownsville to come in and participate in the development of the project.

Tracy Sheehan Zivkovich makes a motion to transfer \$10,000 from line item 409-700 from Capital Outlay to line item 415-400 for Consulting. Second by Paul Synuria. Jack Lawver noted that he thought the Capital Outlay line item was from grant money for the heating and air conditioning system in the Borough Building. Beth Bock asked if we had a specific grant that we applied for, to which Jack Lawver noted we did not. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, no; Lester Ward, no; Beth Bock, yes; Barbara Pepper, yes; Jackie Jackson, yes. Roll call vote was 5-2. Motion carried.

Tracy Sheehan Zivkovich makes a motion to spend \$10,000 to the market and sell the Union Station building, and with 3D renderings it can cut costs. Second by Jackie Jackson. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, no; Beth Bock, yes; Barbara Pepper, yes; Jackie Jackson, yes. Roll call vote was 6-1. Motion carried.

Beth Bock noted that Front Street had "Children at Play" signs up before Columbia Gas started work, and would like to get them back up. Jack Lawver noted once Columbia Gas fixed their project, we could hang them back up.

Lester Ward asked about the blight grant, and Tracy Sheehan Zivkovich noted the Redevelopment Authority is handling it. Tracy Sheehan Zivkovich also said it would be a good idea to get a list of blighted properties together and have it ready for the future.

MEETING ADJOURNMENT

Motion to adjourn by Beth Bock, seconded by Lester Ward. Motion carried. Meeting adjourned.


Melissa S. O'Brien, Secretary/Treasurer



TREASURER'S REPORT

August 2020

BANK ACCOUNTS (adjusted through August 12, 2020)

General Fund	\$	193,096.89
Payroll	\$	2,341.37
Money Market	\$	42.49
Act 13	\$	18,605.65
K-9 Fund	\$	3,757.31
Fire Escrow	\$	187.42
Northside Park Project	\$	-
PLGIT	\$	86,851.15
TOTAL	\$	304,882.28

INVESTMENT ACCOUNTS (adjusted through August 12, 2020)

Mass Mutual	\$	462,491.29
BB&T	\$	32,181.61
TOTAL	\$	494,672.90

DEPOSITS (adjusted through August 12, 2020)

Mayor Ross H. Swords, Jr.	Fines & Fees (June)	\$	1,013.78
Mayor Ross H. Swords, Jr.	Fines & Fees (July)	\$	1,237.75
Code Enforcement	Fines & Fees (June)	\$	225.88
Code Enforcement	Fines & Fees (July)	\$	174.15
Clerk of Courts	Fines & Fees	\$	59.03
Brownsville Police	Police Reports	\$	45.00
Brownsville Police	Parking Violations	\$	-
Fayette County	Judicial Sale	\$	-
Fayette County	Local Service Tax	\$	-
Fayette County	Municipal Taxes	\$	-
Fayette County	Real Estate Taxes	\$	11,164.24
Tena Congelio	Real Estate Taxes	\$	8,616.30
Tena Congelio	Fire Hydrant Taxes	\$	518.40
Tena Congelio	Per Capita Taxes	\$	189.00
Tena Congelio	Street Light Taxes	\$	1,598.40
Recorder of Deeds	Real Estate Transfer Tax	\$	306.19
SWRTB	Refund of Local Withholding Tax	\$	45.44
SWRTB	Earned Income Tax	\$	9,826.71
SWRTB	Per Capita Tax	\$	-
SWRTB	Local Service Tax	\$	57.62
FCHA	PILOT Taxes	\$	-
Lapisardi	Rent (July & August)	\$	300.00
Tena Congelio	Phone Bill	\$	-
Atlantic Broadband	Franchise Fee	\$	3,873.00
Waste Management	Franchise Fee	\$	4,000.00
PLGIT	Liquid Fuel Reimbursement	\$	-
Brownsville Township	Police Protection	\$	-
First National Bank	Interest	\$	39.75
EMC	Insurance Reimbursement	\$	7,666.31
Various	Street Digs	\$	-
Various	Food Permits	\$	-
Various	Occupancy Permits	\$	-
Various	No Lien Letters	\$	45.00
TOTAL		\$	51,001.95

BROWNSVILLE BOROUGH				
MONTHLY BILLS - August 2020				
(for bills paid July 9 - August 12)				
DEPARTMENT	VENDOR	FOR	AMT.	TOTAL
Finance	Atlantic Broadband	Internet & Phone	\$0.00	
	DeLage Landen Financial	Copier Lease	\$150.98	
	Dodaro, Matta & Cambest	Solicitor	\$7,175.00	
	EMC Insurance	Liability Insurances	\$4,123.39	
	EMC Insurance	Liability Insurances	\$4,123.39	
	Microsoft	Office 365	\$37.50	
	Nationwide	BEOP Insurance	\$36.90	
	PA Dept of Revenue	June withholding tax	\$0.00	
	PA UC Fund	Unemployment tax	\$530.50	
	Postmaster	Stamps	\$110.00	
	Quickbooks	payroll service	\$33.92	
	Staples	Office Supplies	\$37.62	
	SWRTB	EIT Tax	\$761.21	
	SWRTB	LST Tax	\$15.00	
	Trek Development	Reassessment Refund	\$2,000.00	
	UPMC	Employee Insurance	\$5,987.83	
				\$ 25,123.24
Buildings	Columbia Gas	Gas Bill	\$27.43	
	K2 Engineering	Building HVAC study	\$6,950.00	
	Kiss My Grass	Grass Cutting	\$180.00	
	PA American Water	Water Bill	\$51.98	
	Staples	Janitorial Supplies	\$25.88	
	West Penn Power	Building	\$0.00	
	West Penn Power	Street Lights	\$5,289.95	
				\$12,525.24
Code Enf	Gaydos-Behanna Kennels	Animal Control	\$465.00	
				\$465.00
Recreation	Luzerne Township	Grass Cutting	\$712.50	
				\$712.50
Police	Bevard	Gas	\$436.10	
	Lexis	Updates	\$329.40	
	Local 491	Union Dues	\$106.00	
	S&D Calibration	Vascar Certification	\$0.00	
	Staples	Office Supplies	\$17.58	
	Verizon Wireless	Police Phone	\$40.01	
				\$929.09
Streets	Bevard	Gas	\$225.42	
	Brownsville Hardware	Trimmer Line	\$59.90	
	JG Service	Gas	\$44.63	
	LCFOWPA	Pension	\$4,204.20	
	Local 373	Union Dues	\$156.00	
	Middletown Tractor Sales	Repairs	\$195.30	
	PA American Water	Water Bill	\$0.00	
	PA One Call	Street Openings	\$51.10	
	West Penn Power	Shed	\$273.78	
				\$5,210.33
Fire	Center Independent	Gas	\$183.29	
	PA American Water	Hydrants	\$1,094.37	
	West Penn Power	Fire Whistle	\$14.67	
				\$1,292.33
	TOTAL BILLS PAID			\$ 45,080.23
BROWNSVILLE BOROUGH				
FINANCIAL REPORT - August 2020				
	Bills paid this month total	\$	45,080.23	
The following bills are due before the end of the month:				
	Bevard	Gas	\$712.81	
	Bill Brown Electric	Electrical at Amphitheater	\$450.00	
	Brownsville Hardware	Supplies	\$43.99	
	DeLage Landen Financial	Copier Lease	\$150.98	
	Hei-Way	Cold Patch	\$2,411.98	
	Herald Standard	Ordinance Advertising	\$322.54	
	Lexis Nexis	Police Updates	\$164.70	
	Local 491	Police Union Dues	\$182.00	
	PA Water	Hydrants	\$1,094.37	
	PA Water	Shed	\$20.37	
	PA Water	Building	\$47.68	
	Terminix	Pest Control	\$55.00	
	Waste Management	Dumpster June 2019	\$515.98	
	West Penn Power	Building	\$334.42	
	West Penn Power	Street Lights	\$4,682.32	
				\$11,189.14
The following bills are due over several payments:				
	Dodaro, Matta & Cambest, PC	Solicitor Fees	\$5,487.50	
	K2 Engineering		\$6,950.00	
	Trek Development	Tax Assessment - repayment	\$2,500.00	
				\$14,937.50
The following bills are due from the PLGIT Account:				
	N/A		\$0.00	
				\$0.00
	TOTAL BILLS DUE			\$26,126.64