

**BOROUGH OF BROWNSVILLE
FAYETTE COUNTY PENNSYLVANIA
JANUARY 10, 2024**

The Regular monthly meeting of the Council of the Borough of Brownsville was held this evening at the Borough Building located at 200 Second Street in Brownsville. The meeting was called to order by President, James Lawver at 6:00 p.m. by reciting the Lord's Prayer and the Pledge of Allegiance.

The following members were present: Council President, James Lawver, Council Vice President Shane Ronzio, Councilmen Brian Brashear, Jackie Jackson, Mike Walters, Kasandra Ward, and Tracy Sheehan Zivkovich. Also present were Mayor Ross H. Swords, Jr., Solicitor Rachel Lozosky, Solicitor Christian Sesek, and Borough Secretary/Treasurer Melissa S. O'Brien.

RECOGNITION OF VISITORS

Connie Gore, 131 Front Street. Ms. Gore first asked if the link to the recorded meeting would be placed on the Borough's page, which Shane Ronzio noted it would. Ms. Gore was in attendance to discuss 128 Market Street, and asked Mayor Ross H. Swords, Jr. if he had a determination on that property. Mayor Swords noted that he has been unsuccessful in reaching the owner and the realtor. There is a potential buyer from out of state who is asking for a status update on the property and what needs done as far as repairs. Mayor Swords noted that he has been trying to catch up on the code matters in the absence of a Code Officer. Ms. Gore asked about an emergency declaration, which Mayor Swords noted that would be a decision for Council to discuss, and also noted that this is the first time the property has been posted and cited, and that we are making progress in the right direction.

Will James, Team Humanity, 13 Arch Street. Mr. James was in attendance to discuss the Water Street Project and ask for Council's approval to seek RACP funds. The project has been funded through a congressional earmark and Mr. James is seeking a match for \$650k. There will be no cost to the Borough, and the project is only asking for a letter of support. James Lawver asked what the project would entail, which Mr. James noted he did not want to discuss too much until the project has been approved, but that it will be for the community and the youth. Motion by Shane Ronzio, second by Jackie Jackson to provide a letter of support for the Water Street Project to seek RACP funds. **Roll Call:** James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes; Tracy Sheehan Zivkovich, yes. Votes are unanimous. Motion carried.

MINUTES

Motion by Kasandra Ward, second by Mike Walters to approve December's minutes. All in favor. Motion carried.

MAYOR'S REPORT – Mayor Ross H. Swords, Jr.

Mayor Ross H. Swords, Jr. noted that in 2023 there were 1,500 calls for service (131 Township, 1,181 Borough, 188 out of town), 354 citations (60 Township, 294 Borough, 0 out of town), 204 incidents (24 Township, 175 Borough, 3 out of town), and 76 arrests. A total of 20,793 miles were put on the police vehicles last year.

Mayor Swords reported for the month of December that there were 81 calls for service (6 Township, 64 Borough, 11 out of town), 10 citations (0 Township, 10 Borough, 0 out of town), 8 incidents (0 Township, 8 Borough, 0 out of town), 1 arrest, and 1 prisoner transport. A total of 970 miles were put on the police vehicles last month.

Mayor Swords referred to a letter from Brownsville Fire Company No. 1 requesting ARPA funds to purchase a generator at a cost of \$11,500 to power the fire station and control the traffic signals at both Broadway and Fifth Avenue. This was originally discussed in September 2023 when the fire station first requested funding. Tracy Sheehan Zivkovich asked what the ARPA balance is, which Michael Walters noted was approximately \$19k. Michael Walters asked what the generator would power, which Mayor Swords stated it would power the garage doors and lights at the station, as well as the traffic signals in the event of power outages and/or accidents. In other municipalities, the Public Works and/or Police departments step in for traffic control, and having a generator would no longer require assistance from these departments. James Lawver would like to discuss this further with Council. Tracy Sheehan Zivkovich asked if the fire station received other bids and if this was the lowest one. Michael Walters asked what the cost would be for a smaller generator that would only power the fire station. Mayor Swords stated he would

ask the fire station for more detail. Tracy Sheehan Zivkovich asked if we could table the matter until more information is available or until additional discussions are had with the fire station.

Mayor Ross H. Swords, Jr. noted that the patrolman hiring status is still under review, and that he and Chief Brant are reviewing applicants and still accepting applications. Chief Brant noted there was a candidate interviewed in December, who is interested, but he is currently working out of state, and prior to moving back to Pennsylvania, he would like to have a conditional offer of employment.

Mayor Ross H. Swords, Jr. noted the fines for the month of December were \$818.48 from the Magistrate and \$295.80 from the County, for a total of \$1,114.28.

Mayor Ross H. Swords, Jr. noted that retired Chief Stanley Jablonsky turned in his keys and the uniforms that were Borough property, as noted in the property log prepared by Chief John Brant.

FINANCE & ADMINISTRATION – Mike Walters

Michael Walters noted that the total non-restricted funds at this time are \$243,460.08 and restricted funds total \$329,511.90. Deposits for the month total \$169,990.49. Monthly bills paid were \$159,533.22.

Michael Walters discussed the General Fund bills due and the inclusion of two receipts in the packets referencing invoices for \$104.25 and \$216.25 for reimbursement for two deed recordings, and another invoice for \$715.50 for legal work. James Lawver noted these invoices need to be discussed in an Executive Session.

The 2024 budget is included. Michael Walters noted that according to Borough Code §1312, we can reappropriate funds within the budget without reopening or advertising. Under the Revenue section of the 2024 budget, we increased the EIT credit and decreased the General Fund carryover. On the Expenses, we increased Professional Services, Act 13 and Fire Contributions, Street Vehicle Parts R&M, and Library Contribution, and decreased Solicitor Fees and Fire Workers Comp. The budget remains balanced at \$1,066,558.

Motion by Michael Walters, second by Kasandra Ward to approve the 2024 modified budget.
Roll Call: James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes; Tracy Sheehan Zivkovich, yes. Votes are unanimous. Motion carried.

Michael Walters noted that under §1316, item 6(c) of the Borough code, we are permitted to invest idle funds into CDs, and would like to move some of our restricted funds to earn a higher interest rate. James Lawver asked if these would be short-term investments, which Michael Walters noted they would be 30- to 60-day terms. Michael Walters will do additional research on this matter and have more information at the next council meeting.

BUILDINGS & GROUNDS – Mike Walters

Michael Walters noted the Albany repairs have been awarded to Lee Plumbing.

We are awaiting parts before T. Lent can repair the boiler pipes and water damage repairs to the basement.

The wharf is under the second review by the DEP.

ECONOMIC DEVELOPMENT – Shane Ronzio

Shane Ronzio spoke on the Municipal Authority, and noted it was not in the public interest for the Borough to pursue a sale of the authority. Motion by Shane Ronzio, second by Jackie Jackson that the Borough immediately cease any action to investigate the sale of the Authority's system and that it terminate any agreement previously made with, or revoke any authorization to, any attorney or other person to investigate such a sale. Kasandra Ward and Michael Walters noted she was not aware that any of this was taking place. James Lawver noted money was expended to Attorney Gordon regarding this matter. Michael Walters stated Attorney Gordon was to value the property, not sell it.

Solicitor, Rachel Lozosky advised that we not present this motion at this time, but rather strike it from tonight's minutes, and instead place it on the Agenda for February. Shane Ronzio agreed to rescind the motion.

Shane Ronzio would like to propose a calendar of events so that we can better advertise our events in town. This is the 230th anniversary of the Whiskey Rebellion and Shane Ronzio would like to see the Borough involved in some type of event as it is a vital part of our history. James Lawver asked what the date was, which Shane Ronzio noted he would look into this and present more detail at future meetings.

CODE ENFORCEMENT / PUBLIC SAFETY / NON-PROFITS – Brian Brashear

Brian Brashear noted we are still looking for someone to handle code enforcement.

FIRE – Brian Brashear

Brian Brashear noted that for the month of December, Northside responded to 10 fires, 7 rescue and emergency medical services, 5 hazardous conditions, and 4 service calls. Southside responded to 8 fires, 6 rescue and emergency medical services, 3 hazardous conditions, 3 service calls, 1 good intent call, and 1 false alarm/false call.

LIBRARY – Brian Brashear

Brian Brashear noted he will be attending his first Library meeting next week.

PARKS & RECREATION – Jackie Jackson

Jackie Jackson has been in contact with the DCNR and with McMillen, and we are still waiting for DCNR approval to move forward.

PUBLIC WORKS – Kasandra Ward

Kasandra Ward noted the street signs for the upper southside have been ordered but are not yet in. The goal is to have all of them replaced by the end of this year.

The Charles Street Bridge progress report from McMillen is included in the packets. We are waiting on McMillen to let us know exactly what is left to do. The report notes that upcoming work includes shotcrete, retaining walls, and sidewalks. James Lawver asked if there was an estimated completion date, which Kasandra Ward stated was scheduled for December 31, 2023, but there have been a lot of delays. They are working fast to catch up, and we hope to have a revised completion date by the next meeting date.

We hired Curtis Crowe for Maintenance/Custodian and Public Works. Mr. Crowe was rehired on January 2, 2024, as he previously worked for the Public Works department in the summer of 2023. Solicitor, Rachel Lozosky stated that she recommends we place the motion on the agenda for next month to discuss.

Kasandra Ward noted the gas company will be starting two projects within the Borough. The first is the replacement of gas lines on the upper southside, and the second runs from the Borough into the Township. We will be working alongside the gas company again on the paving of these streets, so that we will have a finished product. There are still streets that need to be addressed as the gas company did not do any work on them, and Kasandra Ward would like to try and get them paved during these projects. Kasandra Ward noted that she has applied for multiple grants to assist with this, and hopes to hear something soon. Another area that needs attention is Snowdon Terrace.

Kasandra Ward noted that her 5-year plan will be updated by the next meeting, and it does address all of these concerns, as well as the progress from last year. Additionally, bridges and retaining walls both need to be added to our 5-year plan.

PUBLIC UTILITIES – Tracy Sheehan Zivkovich

Tracy Sheehan Zivkovich noted she had nothing to report on Public Utilities, as she was originally assigned Public Relations.

Tracy Sheehan Zivkovich asked about tonight's meeting being advertised as a regular meeting, as it was not discussed or voted on at the Organization meeting. The Borough Code allows the President to schedule Special and Emergency meetings, but regular meetings are set up by Council. We advertised a regular meeting that was not discussed. James Lawver noted at the Organization Meeting we did not finalize things. Tonight's agenda lists these things under Old Business. James Lawver stated that he was not given the checklist at the Organization meeting, once he was elected President. Tracy Sheehan Zivkovich noted she is concerned that we are having a regular meeting that was not properly advertised, as no action was taken at the last meeting. Solicitor, Rachel Lozosky asked if we approved these dates at the Organization meeting, which James Lawver noted we did not. Borough Code does not give the President

authority to schedule a regular meeting. Solicitor, Rachel Lozosky noted that there is notice of meeting dates within the packets tonight, which includes today's meeting. Tracy Sheehan Zivkovich noted these dates were not discussed or voted on last week. Solicitor, Rachel Lozosky recommends approving the council meeting dates for 2024. Motion by Kasandra Ward, second by Jackie Jackson to approve the 2024 council meeting dates. Tracy Sheehan Zivkovich does not believe this remedies the issue, which Solicitor, Rachel Lozosky notes it may be the best option we have. Votes were 6-1, with Tracy Sheehan Zivkovich voting no. Motion carried.

SOLICITOR'S REPORT – Peacock Keller

Solicitor, Rachel Lozosky recommends entering Executive Session at this time.

EXECUTIVE SESSION

Motion by Tracy Sheehan Zivkovich, second by Michael Walters to enter Executive Session at 7:03 p.m. to discuss legal advice and potential litigation. All in favor. Motion carried.

Motion by Tracy Sheehan Zivkovich, second by Kasandra Ward to return from Executive Session at 8:15 p.m. All in favor. Motion carried.

OLD BUSINESS

Motion by Shane Ronzio, second by Brian Brashear to follow Robert's Rules of Order. All in favor. Motion carried.

Motion by Tracy Sheehan Zivkovich, second by Kasandra Ward to retain Somerset Trust, First National Bank, and PLGIT as our financial institutions. All in favor. Motion carried.

Motion by Kasandra Ward, second by Jackie Jackson to appoint President, Vice President, Finance Chair, and Treasurer as check signers. All in favor. Motion carried.

Motion by Kasandra Ward, second by Brian Brashear to appoint James Lawver as the SWRTB representative and Michael Walters as the alternate. All in favor. Motion carried.

Motion by Kasandra Ward, second by Jackie Jackson to appoint Brownsville Ambulance as our ambulance service. All in favor. Motion carried.

Motion by Shane Ronzio, second by Tracy Sheehan Zivkovich to offer and/or accept mutual aid for street, fire, and police. All in favor. Motion carried.

Motion by Tracy Sheehan Zivkovich, second by Shane Ronzio to retain all employees at the rates set forth in the budget. All in favor. Motion carried.

NEW BUSINESS

Motion by Jackie Jackson, second by Shane Ronzio to invalidate and rescind the December 20, 2023 appointment of Kasandra Ward to the Brownsville Municipal Authority. Michael Walters asked the Solicitor if this is their recommendation, which Solicitor, Rachel Lozosky noted in the affirmative. Votes were 6-1, with Tracy Sheehan Zivkovich voting no. Motion carried.

James Lawver asked for a motion to change locks. Kasandra Ward asked if it was just for the Treasurer's office or the whole building. Michael Walters asked what the cost would be. Solicitor, Rachel Lozosky recommends moving this to next month since cost is a factor and estimates are not available at this time.

There is a ribbon cutting at Fiddle's Diner on Friday, January 19, 2024 at 1 p.m.

The TCBA January meeting notice is included, along with the meeting dates and locations for all of 2024. The Borough is hosting the February meeting at the Sons of Italy, on Thursday, February 15, 2024.

FAYETTE COUNTY – James Lawver

Nothing to report.

CORRESPONDENCE – James Lawver

The list of PSAB webinars is included in the packets.

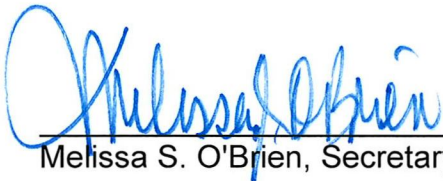
FINANCE & ADMINISTRATION (continued)– Mike Walters

Motion by Michael Walters, second by Shane Ronzio to pay the General Fund bills, not including the \$104.25 or \$216.25, for a total of \$1,177.69. **Roll Call:** James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes; Tracy Sheehan Zivkovich, yes. Votes are unanimous. Motion carried.

Motion by Michael Walters, second by Shane Ronzio to pay the pension payment in the amount of \$1,323.20. **Roll Call:** James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes; Tracy Sheehan Zivkovich, yes. Votes are unanimous. Motion carried.

MEETING ADJOURNMENT

Motion by Tracy Sheehan Zivkovich, second by Shane Ronzio to adjourn the meeting at 8:30 p.m.



Melissa S. O'Brien, Secretary/Treasurer





TREASURER'S REPORT		
January 2024		
CHECKING ACCOUNTS (adjusted through January 10, 2024)		
General Fund		\$ 199,104.37
Payroll		\$ 7,433.54
Petty Cash		\$ 806.49
PLGIT		\$ 36,115.68
	TOTAL General/Liquid Fuel Funds	\$ 243,460.08
Act 13		\$ 29,624.58
ARPA Grant Fund		\$ 19,897.19
Charles Street Bridge Grant Fund		\$ 204,801.95
Fenwick Park		\$ 27,554.75
Fire Escrow		\$ 1.00
Insurance Claims		\$ 40,173.22
K-9 Fund		\$ 5,525.96
Parking Authority		\$ 1,933.25
	TOTAL Restricted Funds	\$ 329,511.90
DEPOSITS (adjusted through January 10, 2024)		
Mayor Ross H. Swords, Jr.	Fines & Fees	\$ 1,161.80
Brownsville Police	Police Reports	\$ 45.00
Brownsville Police	Parking Violations	\$ 25.00
Brownsville Township	Police Protection	\$ 4,500.00
MDJ	Code Fines & Fees	\$ 72.90
McMillen	Permits	\$ 159.00
Tena Congelio	Real Estate Taxes	\$ 22,045.30
Recorder of Deeds	Real Estate Transfer Tax	\$ 155.95
SWRTB	Taxes	\$ 25,315.44
Banks	Interest	\$ 1,396.85
DCED	Charles Street Bridge Reimbursement	\$ 108,710.00
Various	Real Property Sales	\$ 6,203.25
Various	Street Opening Permits	\$ 200.00
	TOTAL	\$ 169,990.49

BOROUGH OF BROWNSVILLE				
MONTHLY BILLS PAID - January 2024				
DEPARTMENT	VENDOR	FOR	AMT.	TOTAL
Finance	Breezeline	Cable & Internet	\$ 317.46	
	DeLage	Copier Lease	\$ 292.03	
	<i>Elmo's</i>	<i>Computer Tower</i>	<i>\$ 1,035.00</i>	<i>Ins. Claims</i>
	Erie Family Life	Insurances	\$ 190.50	
	Guardian Life	BEO Insurance	\$ 38.98	
	Herald Standard	Advertising	\$ 68.93	
	IRS	Federal Income Tax	\$ 4,187.05	
	McMillen Engineering	149 High Street	\$ 150.00	
	McMillen Engineering	Charles Street Bridge	\$ 700.00	
	McMillen Engineering	Fenwick Park	\$ 10,811.50	
	Microsoft	Office 365	\$ 50.00	
	PA Department of Revenue	PA Taxes	\$ 687.59	
	PSAB	Membership Directory	\$ 40.00	
	PSAB MRT	Pension	\$ 1,863.87	
	PSAB MRT	MMO	\$ 35,914.94	
	Recorder of Deeds	Deed Filings	\$ 112.25	
	Staples	Supplies	\$ 15.29	
	<i>Staples</i>	<i>Monitor</i>	<i>\$ 99.99</i>	<i>Ins. Claims</i>
	UPMC	M/D/V Insurance	\$ 13,161.06	
				\$ 69,736.44
B&G	Brownsville Municipal	Sewage	\$ 129.00	
	Columbia Gas	Gas Bill	\$ 1,423.81	
	PA American Water	Water	\$ 145.26	
	Terminix	Pest Control	\$ 70.00	
	West Penn Power	Electric	\$ 6,651.01	
				\$ 8,419.08
Code Enf.	Hoffman Kennels	Animal Control	\$ 150.00	
				\$ 150.00
Police	AT&T	Cell Phone	\$ 62.22	
	Bevard	Gas	\$ 366.80	
	Local 491	Union Dues	\$ 73.00	
				\$ 502.02
Streets	Bevard	Gas	\$ 384.01	
	BNY Mellon	Pension	\$ 2,911.04	
	L. Hosler	Uniform Reimbursement	\$ 115.46	
	JG Servie	Gas	\$ 100.27	
	<i>Lacey's Truck</i>	<i>Inspections & Repairs</i>	<i>\$ 428.90</i>	<i>PLGIT</i>
	Local 373	Union Dues	\$ 82.00	
	<i>NAPA</i>	<i>Supplies</i>	<i>\$ 39.48</i>	<i>PLGIT</i>
	PA One Call	Street Digs	\$ 10.36	
	Tractor Supply	Supplies	\$ 6.59	
	<i>Tresco Paving</i>	<i>Paving</i>	<i>\$ 74,655.00</i>	<i>ARPA</i>
				\$ 78,733.11
Fire	Center Independent	Gas	\$ 632.47	
	PA American Water	Hydrants	\$ 1,360.10	
				\$ 1,992.57
	TOTAL BILLS PAID			\$ 159,533.22
BOROUGH OF BROWNSVILLE				
MONTHLY BILLS DUE THIS MONTH - January 2024				
General Fund	Ford Office Technologies	Phones	\$ 206.83	
	Herald Standard	Advertising	\$ 180.36	
	Mitch Mitchell	Reimb. MBDL to Borough	\$ 104.25	
	Mitch Mitchell	Reimb. Borough to MBDL	\$ 216.25	
	PSAB	Website Updates	\$ 11.00	
	S&D Calibration	Vascar certification	\$ 64.00	
	Vincent Tiberi	Solicitor Fees	\$ 715.50	
				\$ 1,498.19
Payroll	BNY Mellon	Pension Payment	\$ 1,323.20	
				\$ 1,323.20
Grant Fund	Mar-Allen	Charles St. Bridge	\$ 167,055.79	
				\$ 167,055.79
	TOTAL INVOICES DUE THIS MONTH			\$ 169,877.18
MONTHLY BILLS DUE / VARIOUS DUE DATES				
The following McMILLEN invoices are due from various Grant Funds (REIMBURSABLE):				
	McMillen Engineering	Charles Street Bridge	\$ 250.00	
	McMillen Engineering	Fenwick Park	\$ 10,000.00	
	McMillen Engineering	Hollow Road	\$ 520.00	
	McMillen Engineering	Wharf	\$ 6,893.00	
				\$ 17,663.00
The following McMILLEN invoices are due from various Grant Funds (NON-REIMBURSABLE):				
	McMillen Engineering	Fenwick Park	\$ 441.00	
				\$ 441.00
	TOTAL INVOICES DUE - Various Dates			\$ 18,104.00