

**BOROUGH OF BROWNSVILLE
FAYETTE COUNTY PENNSYLVANIA
JULY 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 Christian Sesek, and Borough Secretary/Treasurer Melissa S. O'Brien.

RECOGNITION OF VISITORS

Connie Gore, 131 Front Street. Ms. Gore is here for an update on 128 Market Street and to inquire about Act 90.

Ashley Kyber, Rivers of Steel. Ms. Kyber is here to discuss workforce development and local artists who will be working on projects in town, including murals. A list of activities was handed to Council.

James Lawver asked about the murals on the Iron Bridge Crossing building, which Ms. Kyber noted those murals were through the Rivers of Steel.

EXECUTIVE SESSION

Motion by Mike Walters, second by Brian Brashear to enter Executive Session at 6:05 p.m. to discuss personnel matters. All in favor. Motion carried.

Motion by Shane Ronzio, second by Mike Walters to return from Executive Session at 7:13 p.m. All in favor. Motion carried.

AGENDA

Solicitor, Christian Sesek noted the following changes to the Agenda:

Strike the motion to approve Resolution R-xx-2024 to approve Local Share Account (LSA) application for Public Washrooms at Snowdon Square.

Amend the Motion to approve Resolution R-xx-2024 to submit a Fayette County Local Share Account (LSA) application for the purposes of addressing blight within the borough, and street paving.

Strike the motion to approve the sale of Borough-owned 2009 Ford F-550, via Municibid, at a price of \$21,100.

Strike the motion to approve Resolution R-xx-2024 to submit a Fayette County Local Share Account (LSA) application for paving.

Discussion on the F-550 was held, and Solicitor, Christian Sesek noted the sale must be postponed until next month.

Motion by Shane Ronzio, second by Mike Walters to accept the amended Agenda. All in favor. Motion carried.

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

Mayor Swords reported for the month of June that there were 106 calls for service (78 Borough, 15 Township, 13 out of town), 27 citations (22 Borough, 5 Township, 0 out of town), 16 incidents (15 Borough, 1 Township, 0 out of town), 7 arrests, and 0 prisoner transports. A total of 1,025 miles were put on the police vehicles last month.

Motion by Brian Brashear, second by Shane Ronzio to advertise for a full-time police officer with the bonus discussed at last month's meeting. Brian Brashear noted he did speak with the union and they are in favor of the bonus. **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.

Mayor Ross H. Swords, Jr. noted the fines for the month of June were \$629.07 and \$10.46 from the Magistrate and \$4.69 from the County, for a total of \$644.22.

Chief Brant noted that Car 3 would be going to the shop to be assessed, and we should have more information next month.

FINANCE & ADMINISTRATION – Mike Walters

Michael Walters noted that the total non-restricted funds at this time are \$420,020.76 and restricted funds total \$199,623.81. Deposits for the month total \$32,834.18. Monthly bills paid were \$104,118.15, which includes the deposit on the docks totaling \$64,065. James Lawver asked about the Charles Street Bridge credit, which is already included in the bills due. Mike Walters noted he wanted to look into short term investments.

Motion by Michael Walters, second by Shane Ronzio to pay the General Fund bills due in the amount of \$7,272.20. **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.

Motion by Mike Walters, second by Brian Brashear to pay the Charles Street Bridge grant fund bills due in the amount of \$327.50. **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.

Mike Walters discussed the additional invoices due from various grant funds, and noted that these invoices are not payable until we have authorization to spend from the grantors. We are waiting on Solicitor, Christian Sesek to sign the required wharf form so we can move forward with that. Melissa S. O'Brien noted we are unable to pay the wharf or Fenwick Park invoices. It was also noted that the Mar-Allen invoices due total \$140,979.68. Mike Walters noted we are waiting on our previous request for reimbursement before we can pay this final Mar-Allen invoice.

Our income for the first half of the year is \$670,117, and expenses total \$639,263. If we subtract the reimbursable dock expenses from this total, we are only at 54% on expenses.

One item that is not on the Agenda to pay is the current Solicitors bill, through June 30. If we look at the third page, the total additional fees for the month are \$2,822, plus the \$500 retainer, so for the month of June we are at \$3,322. This maxes out the budget for the entire year and we are only halfway through. We do not know how to budget for these expenses, as we are being charged by the minute. The Right to Knows are bothersome, as they are in excess of \$1,000 per month, and they have put us substantially over budget. Mike Walters noted that he did not feel the Borough should be charged for the Solicitor to learn Corporate Spending Powers and Borough Code, as these are things the Solicitor should know or learn on their own time, not at the Borough's expense. Mike Walters noted if he billed his customers to review Building Code, they would not be okay with that, with him to learn what he should already know. Some of these invoiced items need to be looked at and adjusted. These things are really adding up.

Last year, the Solicitor fees were \$10,000, and this year we are looking at \$36,000. On January 1, we were told the Solicitor's fee would be \$6,000. Solicitor, Christian Sesek noted that was just the retainer, and asked if Council was looking for an explanation. Mike Walters asked what our \$500 retainer actually covers, as it seems we are being charged for everything. We have no idea what next month's bill will be. Kasandra Ward noted we have to ask, as a Council, who is asking for these things and causing these expenses, which Mike Walters noted we do know as the RTKs are coming from one person. If these are standard things, this should be part of the retainer. Mike Walters noted this is the only item on the entire budget that is over budget. Council needs to discuss where the next half of the year is being paid from, but it should not cost another \$18k.

BUILDINGS & GROUNDS – Mike Walters

The sprinkler system at Hope Park has come into question. This system is on a timer and is there to maintain the sod that has been put in. The Sandwich Stop is going to add a spigot, at their expense, to water the flowers in Snowdon Square. The current water bill for Hope Park is on the Borough. Mike Walters noted that we have grantors who have given a lot of money, the Students in Action, the Perennial Project, the stage, the arch, the movie screen, etc., and we owe these people the courtesy of maintaining what they have donated to us.

Motion by Mike Walters, second by Jackie Jackson, to pay the water bill at Hope Park. Kasandra Ward stated that when people come to us and say they are going to do these projects, there is

sometimes a cost associated with it, and when we accept these projects, we accept the costs. If we do not want to maintain these things, then we should not accept the projects. Mike Walters noted that this water bill is only for a few months in the summer. Tracy Sheehan Zivkovich reminded Council that when Hope Park was completed, the Borough signed a Lease Agreement with the RCAF. This was grant-funded, and we took this on at that time. Mike Walters stated the mini-master plan focused on the downtown area, and ideas for the outdoor screen were discussed years ago. **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.

The breaker panel mounted to the side of the MVAA building was not properly grounded. This has since been corrected and the cost was only \$260.

The brace on the wharf is temporary. The pilings that we were hoping to have installed have to go out for competitive bidding, and McMillen is working on that now. These pilings will be at the ends of the dock on both sides and one at the gangway. At that time, the temporary brace will be removed and boats can be launched.

ECONOMIC DEVELOPMENT – Shane Ronzio

Shane Ronzio noted the Farmers Market will be held on Saturday, July 27.

Great job on both Riverfest and the wharf project.

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

Myron Nypaver was present for tonight's meeting, to discuss the code report. Mr. Nypaver noted that there were 27 complaints received, 14 rechecks from previous enforcement actions, 7 properties complied, and 10 non-traffic citations were prepared for filing. A list of properties was included for Council.

Mr. Nypaver asked the Borough to approve a structural analysis for a property across from the fire station on the corner Sixth and Market. Tracy Sheehan Zivkovich asked what the cost of this analysis would be, which K2 noted would be \$600-\$800. Tracy Sheehan Zivkovich asked if any of these complaints were done under SWEEP, which Mr. Nypaver noted he first has to review prior code officer filings before he can do so. Most of the properties noted on the Code report are beyond SWEEP, and have to go to the magistrate. There are nearly 130 properties on the repository that we have no one to go after and cite. This study will identify the structures in the Borough that need to be addressed first. It will take two years to stabilize this Borough and five years to get it to where it needs to be.

Connie Gore asked what the plan was for the Church at 128 Market Street. Mr. Nypaver noted that no contact has been made with the owner of the Church, as all attempts are coming back undeliverable. The Borough will have to find funding through the County for demolitions, but without a plan, it will be difficult to get funding. The Borough has a structural problem which everyone is aware of. There are options that will be discussed going forward.

Citations are being prepared for local property owners first. They have been warned.

Brian Lake of K2 Engineering noted that the structural analysis will start by inventorying houses, which will get things started for the Borough. This type of analysis was done in Greensburg, and has been successful there. An LSA grant would get things started. Kasandra Ward noted the recommendation from Dana at K2 was to apply for a combined LSA grant to cover blight and streets.

There is a software program out there for Code that we are hoping to see the RACF help with funding for municipalities.

Motion by Brian Brashear, second by Jackie Jackson to approve Resolution R-05-2024 to submit a Fayette County Local Share Account (LSA) application in the amount of \$50k for the purposes of addressing blight and street paving within the Borough. Melissa S. O'Brien asked about the grant application fee, which Brian Lake noted could be paid from the LSA grant, and if the grant is not funded, would be approximately \$1,200. **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.

FIRE – Brian Brashear

No reports were provided.

LIBRARY – Brian Brashear

Brian Brashear noted the Library is currently hosting snacks for children. There is a silent book club now to both read and socialize. Information can be obtained from the library.

PARKS & RECREATION – Jackie Jackson

Jackie Jackson noted the Luzerne Park Board President reached out to ask if the Borough could help with inactive board members, as there are five members who do not participate, and can the Borough send a letter or replace them. James Lawver noted if they do not make a certain number of meetings, they can be replaced. Tracy Sheehan Zivkovich asked if these are members that we appointed. James Lawver noted if the Park Board lets us know who these board members are, we can reach out.

PUBLIC WORKS – Kasandra Ward

Kasandra Ward discussed the PennDOT paving and noted a concrete deck would be added to the Dunlap Creek Bridge sometime next year.

On July 24, the new traffic signals will switch over. Mayor Ross H. Swords, Jr. asked if the old signals would remain with the Borough as we just installed some of the bulbs, which some are expensive. Kasandra Ward noted she would discuss this with PennDOT.

We have a successful bidder, Gary Butch, on the 2009 Ford F550 that was listed on Municibid. Mr. Butch offered \$21,100 which was the highest bid received. We are unable to sell for 30 days, therefore, Mr. Butch can take possession on August 9, 2024.

The RACF has money to fix the slide on Cemetery Road, but not the engineering portion. The Borough will have to assume these costs. Kasandra Ward discussed the engineering study with Brian Lake of K2 Engineering, so they could provide the RACF with the information they need to move forward. Brian Lake noted he visited the site and has a few inquiries in so they can get us an accurate price.

Good news on the Charles Street Bridge, in that the final costs came in at approximately \$30k less than was budgeted.

Motion by Kasandra Ward, second by Tracy Sheehan Zivkovich, to approve Resolution R-06-024 to submit a Department of Community & Economic Development, Multimodal Transportation Fund (MTF) application for proposed rehabilitation of Hollow Road. Mike Walters asked if there would be any matching funds required, which Kasandra Ward noted there would not be. All in favor. Motion carried.

Kasandra Ward noted the state LSA grant application process opens on September 1, 2024, and there is no match required for this. Council needs to look at this as a whole and see what we can apply for under a consolidated application. This grant can cover blight, paving, wall repair, etc. and Council should be prepared next month to discuss. Mike Walters noted there are things he wants to do and things the Mayor wants to do. The restroom facilities at Snowdon can be incorporated into other projects under this grant.

PUBLIC UTILITIES – Tracy Sheehan Zivkovich

Nothing to report.

SOLICITOR'S REPORT – Peacock Keller

Solicitor, Christian Sesek noted there were a few RTK requests last month, in addition to reviewing wharf grant details. We received an order last month related to the AG and the Borough can begin the process associated with the consent petition for final decree.

OLD BUSINESS

Nothing to discuss.

NEW BUSINESS

Motion by Kasandra Ward, second by Brian Brashear, to advertise Ordinance O-xx-2024 (Occupancy Permits). **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 Shane Ronzio, second by Mike Walters, to accept the resignation of Kelly Hosler as a public representative to the Planning Commission board. All in favor. Motion carried.

Motion by Brian Brashear, second by Mike Walters, to appoint Kimberly Kishel-Rhodes as a public representative to the Planning Commission Board for a term commencing July 11, 2024 and ending December 31, 2024. All in favor. Motion carried.

FAYETTE COUNTY – James Lawver

There are four tax assessment appeals included in the packets for review.

CORRESPONDENCE – James Lawver

Nothing to report.

MEETING ADJOURNMENT

Motion by Mike Walters, second by Kasandra Ward to adjourn the meeting at 8:44 p.m.


Melissa S. O'Brien, Secretary/Treasurer



TREASURER'S REPORT		
July 2024		
CHECKING ACCOUNTS (adjusted through July 5, 2024)		
General Fund		\$ 306,468.47
Payroll		\$ 2,569.63
Petty Cash		\$ 233.65
PLGIT		\$ 110,749.01
	TOTAL General/Liquid Fuel Funds	\$ 420,020.76
Act 13		\$ 36,995.98
ARPA Grant Fund		\$ 20,334.96
Charles Street Bridge Grant Fund		\$ 48,902.01
Fenwick Park		\$ 27,996.12
Fire Escrow		\$ 19.75
Insurance Claims		\$ 57,796.27
K-9 Fund		\$ 5,614.49
Parking Authority		\$ 1,964.23
	TOTAL Restricted Funds	\$ 199,623.81
DEPOSITS (adjusted through July 5, 2024)		
Mayor Ross H. Swords, Jr.	Fines & Fees	\$ 629.07
Common Pleas Court	Fines & Fees	\$ 10.46
Fayette County	Fines & Fees	\$ 4.69
Brownsville Police	Parking Violations	\$ 50.00
Brownsville Township	Police Protection	\$ 4,500.00
MDJ	Code Fines & Fees	\$ 127.76
Various	No Lien Letters	\$ 120.00
Various	Golf Cart Permits	\$ 50.00
Fayette County Tax Claim	Delinquent Taxes	\$ 4,882.88
Recorder of Deeds	Real Estate Transfer Tax	\$ 602.70
SWRTB	Taxes	\$ 10,748.65
Banks	Interest	\$ 2,074.95
Various	Refunds	\$ 174.28
Various	Rental Fees	\$ 50.00
Various	Street Openings	\$ 9,437.81
	TOTAL Deposits	\$ 32,834.18

BOROUGH OF BROWNSVILLE	
MONTHLY BILLS PAID - July 2024	

DEPARTMENT	VENDOR	FOR	AMT.	TOTAL
Finance/B&G	Breezeline	Cable & Internet	\$ 161.73	
	Brownsville Municipal	Sewage	\$ 129.00	
	DeLage	Copier Lease	\$ 212.53	
	EMC Insurance	Insurances	\$ 5,015.71	
	Erie Family Life	Insurances	\$ 182.25	
	FCIB	Debt Interest	\$ 733.86	
	Guardian Life	BEO Insurance	\$ 24.92	
	Herald Standard	Advertising	\$ 87.14	
	IRS	Federal Income Tax	\$ 4,314.72	
	McMillen Engineering	Charles Street Bridge	\$ 252.00	
	Northeast Products	Dock Deposit	\$ 64,065.00	Wharf Grant
	PA American Water	Water	\$ 55.20	
	PA Department of Revenue	PA Taxes	\$ 742.79	
	PA UC Fund	Unemployment Insurance	\$ 174.24	
	Peacock Keller	Solicitor fees	\$ 4,628.00	
	PSAB	Training	\$ 75.00	
	PSAB MRT	Pension	\$ 1,200.00	
	PSAB UC Plan	Unemployment Insurance	\$ 67.89	
	SWRTB	EIT	\$ 808.60	
	Terminix	Pest Control	\$ 74.00	
	UPMC	M/D/V Insurance	\$ 6,580.56	
	West Penn Power	Electric	\$ 6,305.94	
				\$ 95,891.08
Code Enf.	Hoffman Kennels	Animal Control	\$ 250.00	
	PMIS	Code Enforcement (June)	\$ 594.00	
			\$ 844.00	
Police	AT&T	Cell Phone	\$ 62.49	
	Bevard	Gas	\$ 452.19	
	NMS Labs	DUI Blood test	\$ 315.00	
	Postmaster	Postage	\$ 10.60	
	PSAB	Pension	\$ 1,080.12	
	S&D Calibration	Vascar Certification	\$ 64.00	
			\$ 1,984.40	
Streets	Bevard	Gas	\$ 469.00	
	BNY Mellon	Pension	\$ 1,582.40	
	Giannetti Motors	Inspection	\$ 46.00	PLGIT
	L. Hosler	Uniform Reimbursement	\$ 90.90	
	Lee's Plumbing	Street sweeper	\$ 1,062.50	PLGIT
	Local 373	Union Dues	\$ 84.00	
	NAPA	Supplies	\$ 100.00	
	PA American Water	Water	\$ 21.95	
			\$ 3,456.75	
Fire	PA American Water	Hydrants	\$ 1,357.92	
	SWIF	Workers' Comp	\$ 584.00	
			\$ 1,941.92	
	TOTAL BILLS PAID		\$ 104,118.15	

BOROUGH OF BROWNSVILLE
MONTHLY BILLS DUE THIS MONTH - July 2024

General Fund	Ford Office Technologies	Phone	\$ 206.83	
	R&D Watters	Port a Jon	\$ 165.00	
	SWIF	Workers' Comp	\$ 584.00	
	West Penn Power	Electric	\$ 6,316.37	
				\$ 7,272.20
Grant Fund	McMillen Engineering	Charles St. Bridge	\$ 327.50	
				\$ 327.50
	TOTAL INVOICES DUE THIS MONTH			\$ 7,599.70

MONTHLY BILLS DUE / VARIOUS DUE DATES

The following invoices are due from various Grant Funds (REIMBURSABLE):

	Mar-Allen	Charles Street Bridge	\$ 140,979.68	
	McMillen Engineering	Fenwick Park	\$ 10,041.00	
	McMillen Engineering	Wharf	\$ 14,075.75	
	Northeast Products	Wharf	\$ 64,065.00	
				\$ 229,161.43
	TOTAL INVOICES DUE - Various Dates			\$ 229,161.43