

**BOROUGH OF BROWNSVILLE
FAYETTE COUNTY PENNSYLVANIA
NOVEMBER 13, 2023**

The Regular 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, Tracy Sheehan Zivkovich at 6:00 p.m. by reciting the Lord's Prayer and the Pledge of Allegiance.

The following members were present: Council President, Tracy Sheehan Zivkovich, Councilmen Beth Bock, Jackie Jackson, Shane Ronzio, Mike Walters, and Kasandra Ward. Also present were Mayor Ross H. Swords, Jr., Solicitor Mitch Mitchell and Borough Secretary/Treasurer Melissa S. O'Brien. Council Vice President Paul Synuria was not in attendance.

RECOGNITION OF VISITORS

Connie Gore, 131 Front Street. Ms. Gore is in attendance to discuss 128 Market Street. Ms. Gore is concerned about the economic development in town, and the appearance of 128 Market Street. All municipalities have blight, but none have a property like 128 Market as a gateway to downtown. There is an owner, and Ms. Gore feels that the Borough now has an opportunity to condemn this property; the bell tower has collapsed and the hole in the roof is twice the size as it was last month. By condemning the property, the Borough could make the downtown area inviting, rather than an eyesore.

Kim Brashear, Market Street. Ms. Brashear is in attendance to discuss procedures. Since the Borough is dealing with assessing properties, she is asking that the Borough lay out the procedures as to how this is done. Additionally, she asked if we had a SWEEP team, a blight team, a code officer, or anything to help with blight.

Tracy Sheehan Zivkovich noted there is a resignation on the agenda for the Code Officer. There will be no changes to the SWEEP team or the blight team, and those boards will remain. Tracy Sheehan Zivkovich also stated that the Borough owns about 67 properties, and we are implementing these procedures. Last month, we asked for a small group of properties to be appraised using tax assessment as a guide. Once an appraisal is provided, you can then move forward depending upon the value of the property. If a property is valued at \$6k or more, then it has to be sold at public auction or bid. If a property is valued at less than \$6k, the Borough has the right to move forward with a public bid, a sale, or by gifting it to a non-profit. On the Agenda, we are notifying the public that we will be selling properties at the December meeting. Ms. Brashear asked what the guidelines are. Tracy Sheehan Zivkovich noted that in the past, the Borough, in the past year, purchased properties through the repository and through RACF funding was able to demolish those properties. We then had them appraised so that we can move forward with a sale. If someone wants to buy a Borough property, the correct process is to notify the Borough in writing or just talk to Council. Council will then appraise it with the intent to sell. Ms. Brashear asked what does someone have to walk in the door with. Mike Walters stated they can bring a letter of intent to the Borough and nothing else, and Council then must wait for the appraisal as the appraised price determines how it must be sold. Tracy Sheehan Zivkovich stated that all sales must go through a public meeting like this, and they require a 30-day notice to the public if under \$6k. Connie Gore asked if the appraisals will be made public prior to the sale, which Michael Walters noted they would. Michael Walters noted that the Borough does not have to sell to the highest bidder for properties under \$6k, as we are looking for someone to develop property, not just squat on it. As we have seen in the past, the highest bidder does not always have the best ideas. Ms. Brashear asked if a plan had to be presented when someone bids, which Michael Walters noted it is beneficial.

Tracy Sheehan Zivkovich clarified that the first step if someone is interested in property is to notify the Borough, and we would then take action to appraise the property. Depending upon the outcome of the appraisal, you would then continue discussions. Michael Walters clarified that appraisals over \$6k require sealed bids that would all be open at a public meeting, and the highest bid must be accepted. Ms. Gore asked if 10% of the price needed to be included with the bid, which Council was unsure of. Tracy Sheehan Zivkovich noted that these are risky transactions as you may accept the highest bid and the bidder may not follow through with the purchase. Ms. Gore asked when the appraisals were available to the public, which Michael Walters stated as soon as Council has them. The other thing we have to be sure of is that we are not spending money to appraise properties that no one purchases.

Jason Novak, 420 Front Street. Mr. Novak is in attendance to discuss code enforcement. Mr. Novak stated that he has the same questions as Ms. Brashear, and would like to know the status of the code enforcement officer, the code enforcement chairperson, and our SWEEP team.

MINUTES

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

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

Mayor Ross H. Swords, Jr. noted the fines from the Magistrate for the month of September were \$1,417.69, for the month of October were \$1,173.78, and fines for the month of October from the County were \$57.71, for a total of \$2,649.18.

Mayor Ross H. Swords, Jr. noted that there were 121 calls for service (11 Township, 98 Borough, 12 out of town), 24 citations (4 Township, 20 Borough, 0 out of town), 19 incidents (1 Township, 18 Borough, 0 out of town), 3 arrests, and 2 prisoner transports. A total of 1,747 miles were put on the police vehicles last month.

The 35th annual Light Up Night will be held on Friday, November 24. Lineup is at the Hiller VFD and departs at 6 pm. Santa and Mrs. Claus will be at Snowdon Square at 7:30 pm with a meet and greet for children and the lighting of the community Christmas tree. There will also be a bus at Snowdon Square for the Toy Drive that benefits the children of the Brownsville Area School District.

Chief John Brant noted that September and October were slow, after a very busy summer. We still have a high call volume. The police department issued 7 SWEEP citations last month, and the junk vehicle is gone from Brashear Street, which opened up visibility of the trash accumulated at that property, which the owner is now cleaning up.

FINANCE & ADMINISTRATION – Mike Walters

Michael Walters noted that the total funds at this time are \$341,415.60, with deposits totaling \$47,702.96. Monthly bills paid were \$85,067.52.

Motion by Mike Walters, second by Jackie Jackson to pay \$218.62 from the General Fund and \$10,256.45 from the Payroll account. Tracy Sheehan Zivkovich noted there are outstanding bills for Fenwick Park, which the grant allows up to \$10,000 for engineering. McMillen took the outdated design and stamped it, but at a cost of \$5,000. **Roll Call:** Tracy Sheehan Zivkovich, yes; Jackie Jackson, yes; Shane Ronzio, yes; Mike Walters, yes, Kasandra Ward, yes. Votes are unanimous. Motion carries.

Tracy Sheehan Zivkovich noted under Fenwick, we can charge \$5,000 to the grant now, but at this point McMillen is asking for payment. Motion by Mike Walters, second by Kasandra Ward to pay \$5,000 (moving money from line item 406.310 to 406.315) from the General Fund to McMillen for Fenwick fees. This is not reimbursable under the grant. **Roll Call:** Tracy Sheehan Zivkovich, yes; Jackie Jackson, yes; Shane Ronzio, yes; Mike Walters, yes, Kasandra Ward, yes. Votes are unanimous. Motion carries.

Mike Walters spoke on the current budget and noted that we are at 94% of our proposed income, and 65% of our proposed expenses as of November 10.

The proposed 2024 budget is a balanced budget \$1,029,273. Motion by Mike Walters, second by Jackie Jackson, to advertise the 2024 proposed budget. All in favor. Motion carries. Tracy Sheehan Zivkovich noted that our new Council can open the budget in January for discussion.

BUILDINGS & GROUNDS – Mike Walters

No report was given.

CODE ENFORCEMENT / COMMUNITY / EMA – Mayor Ross H. Swords, Jr.

Mayor Ross H. Swords, Jr. noted that there was an inspection was done for a business located at 100 High Street, and a resident on Front Street was found guilty of code violations, but can appeal the charges.

Code Officer Jordan Sealy submitted his letter of resignation. Motion by Jackie Jackson, second by Shane Ronzio to accept the resignation. All in favor. Motion carries.

FIRE

Fire reports from Northside for September and October are included.

ECONOMIC DEVELOPMENT – Shane Ronzio

Shane Ronzio noted the PAWC sent out a proposed water rate notice, effective January 7, 2024, and noted he would like to look at our options before the next meeting.

Shane Ronzio also noted that there is an aerial drone service available that he would like to look into, and bring more information to next month's meeting.

LIBRARY – Tracy Sheehan Zivkovich

Nothing to report.

PUBLIC RELATIONS – Beth Bock

Nothing to report.

PUBLIC WORKS – Kasandra Ward

The upper Southside paving project has been completed and all the roads that we have designated to be paved are done. The 700 block of Orchard Alley could not be paved due to the costs. It is in bad shape, but hopefully we can target it for next time. We have three or four roads that can be paved at a later date, which will be a significant improvement for the Borough.

Several street signs have been destroyed during the paving projects. We have no stop signs left. Kasandra Ward noted that she would like to replace all the street signs throughout the Borough, starting with the upper Southside. The cost will be approximately \$3,500, to be paid through liquid fuel. Signage is under new guidelines from PennDOT so they will look significantly different than the current signs.

Motion by Kasandra Ward, second by Jackie Jackson, to replace the signs in the upper Southside. Mayor Ross H. Swords, Jr. asked if we could go after the contractor to replace them since they were damaged during the paving project, which Kasandra Ward responded we were not going to ask that of them. The contractor has taken pictures and knew the condition of the signs prior to the project, and feels it would be difficult to go after them for replacement. **Roll Call:** Tracy Sheehan Zivkovich, yes; Jackie Jackson, yes; Shane Ronzio, yes; Mike Walters, yes; Kasandra Ward, yes. Votes are unanimous. Motion carries.

Motion by Kasandra Ward, second by Jackie Jackson, to approve the \$116,342 Change Order for the Charles Street Bridge. Mike Walters asked where the money would come from, which Kasandra Ward noted she is still looking at ways to cut costs on the overall project, but a lot of this is covered by the secured grant funds. Tracy Sheehan Zivkovich noted this change order will put the total budget at \$51k more than the grant covers. After much discussion, Kasandra Ward noted that she would meet with Melissa S. O'Brien to discuss the budget to find out where these funds could come from, and we can discuss at a later meeting. No additional funding was approved at this time, and the motion was withdrawn by Kasandra Ward.

Under Public Works, a part-time worker is needed in the summer to cut grass, and under Buildings & Grounds, a part-time worker is needed for maintenance and janitorial. A shared resource can be used for this position. Motion by Kasandra Ward, second by Jackie Jackson, to hire a Brodey Lee, part-time up to 1,092 hours annually, at a rate of \$13 per hour, effective November 21, 2023. All in favor. Motion carries.

RECREATION – Jackie Jackson

Jackie Jackson reported that we received an invoice from Luzerne Park for grass cutting in the amount of \$3,275.63, for cutting the large field in the amount of \$975.00, and for stocking the lake in the amount of \$1,101.75, for a total of \$5,352.48. Motion by Jackie Jackson, second by Kasandra Ward, to pay \$5,352.48 to Luzerne Township. Michael Walters asked what line item that would come from, which Kasandra Ward noted would come from the public works budget. Tracy Sheehan Zivkovich noted this was discussed in a prior meeting. **Roll Call:** Tracy Sheehan Zivkovich, yes; Jackie Jackson, yes; Shane Ronzio, yes; Mike Walters, yes; Kasandra Ward, yes. Votes are unanimous. Motion carries.

Jackie Jackson spoke to both the DCNR and to Tammy Stenson at McMillen regarding Fenwick Park. There are outstanding questions that the DCNR is asking of McMillen, and we are currently awaiting their response.

SOLICITOR'S REPORT – Mitch Mitchell

Nothing to report.

OLD BUSINESS

Tracy Sheehan Zivkovich noted she was in touch with Andrew French, and the RACF submitted a multi-million request to the EPA to remove all hazardous material at the Union Station Building, and we are hoping that is approved in the next couple of months. The ownership is still with the RACF so they will handle that grant and the work to be done.

NEW BUSINESS

A signal maintenance agreement from PennDOT is include for review. Motion by Kasandra Ward, second by Shane Ronzio, to approve the Traffic Signal Maintenance Agreement from PennDOT, Resolution R-12-2023. Mayor Ross H. Swords, Jr. noted this is regarding the upgrades to the traffic signals at Brownsville Avenue and in front of the municipal building. Kasandra Ward noted her understanding is that this is to replace the wiring. Tracy Sheehan Zivkovich noted this is at no cost to the Borough. All in favor. Motion carries.

The appraisal for 419 Market Street has been received and at this time the Borough is giving notice of their intent to sell this property at the December 13th meeting. The appraisal came in at \$4,500 from Owens Appraisal Service. Mara Sim interjected at this time to review the appraisal and to confirm that it is for parcel number 02-06-0360. Ms. Sim also asked if anyone spoke to the Recorder of Land & Deeds at the courthouse, as parcels 02-06-0359, 02-06-0360, and 02-06-0361 are still listed under MBDL Holdings, and at a prior meeting the Borough noted the sale of 02-06-0360 was rescinded and the Borough was to get the Deed changed. Tracy Sheehan Zivkovich noted we do have the Deed back in our name, but Ms. Sim asked why the County records still show MBDL Holdings as the owner of said property. Michael Walters noted this is on the County's end, not ours. Tracy Sheehan Zivkovich stated the Deed has been signed and sent to the courthouse for filing.

The other properties on the Agenda, 509 Baltimore Street, 125 High Street, 502 High Street, and 1322 Water Street, have not been appraised yet, but we do expect to have the appraisals this week as our intent is to sell them.

FAYETTE COUNTY – Tracy Sheehan Zivkovich

There is a repository sale notice from a current resident for 02-07-0196. Motion by Jackie Jackson, second by Kasandra Ward, to consent to the sale of the property. Mayor Ross H. Swords, Jr. noted this is on Hollow Road, and the Borough owns the property next to it. All in favor. Motion carries.

CORRESPONDENCE – Tracy Sheehan Zivkovich

The TCBA meeting notice is included for everyone.

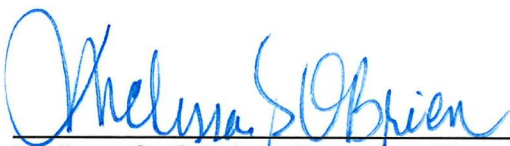
PennDOT will be holding a Public Officials meeting at St. Mary's Social Hall regarding the Cast Iron Bridge rehabilitation on November 28 from 3-4, with a Public Meeting to follow from 5-6:30.

A memo from Ron Herrington at McMillen Engineering regarding the Charles Street Bridge Project Status was included, but not discussed.

A letter from Michael Mays at Davis & Davis regarding the Elks Building was included, but not discussed.

MEETING ADJOURNMENT

Motion to adjourn by Jackie Jackson, second by Mike Walters. Meeting adjourned at 7:34 p.m.



Melissa S. O'Brien, Secretary/Treasurer



TREASURER'S REPORT		
November 2023		
BANK ACCOUNTS (adjusted through November 10, 2023)		
General Fund		\$ 93,413.19
Payroll		\$ 4,669.97
Petty Cash		\$ 856.95
Act 13		\$ 30,950.66
ARPA Grant Fund		\$ 101,695.44
Fenwick Park		\$ 2,503.07
Fire Escrow		\$ 1.00
Insurance Claims		\$ 40,774.09
K-9 Fund		\$ 5,495.52
Parking Authority		\$ 1,921.95
PLGIT		\$ 59,133.76
	TOTAL	\$ 341,415.60
DEPOSITS (adjusted through November 10, 2023)		
MDJ	Fines & Fees	\$ 2,591.47
Clerk of Courts	Fines & Fees	\$ 57.71
Brownsville Police	Police Reports	\$ 45.00
Brownsville Police	SWEEP Fines	\$ 350.00
Brownsville Township	Police Protection	\$ 4,500.00
MDJ	Code Fines & Fees	\$ 327.12
Clerk of Courts	Code Fines	\$ 56.70
Various	No Lien Letters	\$ 85.00
Various	Occupancy Permits	\$ 80.00
McMillen	Permits	\$ 180.00
Fayette County	Delinquent Taxes	\$ 9,991.45
Commonwealth of PA	Liquor License Fee	\$ 650.00
Tena Congelio	Real Estate Taxes	\$ 5,425.54
Recorder of Deeds	Real Estate Transfer Tax	\$ 661.50
SWRTB	Taxes	\$ 16,724.67
Banks	Interest	\$ 785.21
Breezeline	Cable Franchise Fee	\$ 3,058.00
Tena Congelio	Phone Bill	\$ 115.95
County Hauling	Garbage Franchise Fee	\$ 1,812.64
Various	Street Opening Permits	\$ 205.00
	TOTAL	\$ 47,702.96

BOROUGH OF BROWNSVILLE				
MONTHLY BILLS PAID - November 2023				
DEPARTMENT	VENDOR	FOR	AMT.	TOTAL
Finance	Breezeline	Cable & Internet	\$ 158.73	
	Brownsville Free Public Lib	Contribution	\$ 8,000.00	
	DeLage	Copier Lease	\$ 174.28	
	EMC Insurance	Insurances	\$ 4,426.75	
	Ford Office Technologies	Phone & Fax	\$ 413.66	
	Guardian Life	BEO Insurance	\$ 38.98	
	Herald Standard	Advertising	\$ 62.33	
	McMillen Engineering	Charles Street Bridge	\$ 462.50	
	Microsoft	Office 365	\$ 50.00	
	Misc	Deductibles	\$ 1,356.15	
	Owens Appraisal	Market Street Appraisal	\$ 1,100.00	
	Postmaster	Postage	\$ 9.65	
	PSAB - MRT	Pension	\$ 1,175.00	
	PSAB	Training	\$ 50.00	
	R&D Watters	Port a Jon rental	\$ 215.00	
	SWRTB	EIT	\$ 810.90	
	UPMC	M/D/V Insurance	\$ 7,692.50	
	Vincent Tiberi	Solicitor Fees	\$ 3,375.00	
				\$ 29,571.43
B&G	Brownsville Municipal	Sewage	\$ 141.90	
	Columbia Gas	Gas Bill	\$ 400.57	
	Lowe's	Building Materials	\$ 295.55	
	PA American Water	Building & Shed	\$ 83.47	
	PA American Water	Hope Park	\$ 169.57	
	Terminix	Pest Control	\$ 70.00	
	West Penn Power	Electric	\$ 6,162.66	
				\$ 7,323.72
Code Enf.	Hoffman Kennels	Animal Control	\$ 150.00	
				\$ 150.00
Police	AT&T	Cell Phone	\$ 62.22	
	Bevard	Gas	\$ 602.87	
	Ford of Uniontown	Police car repair	\$ 1,808.66	
	Local 491	Union Dues	\$ 134.00	
	PSAB	Pension	\$ 1,322.82	
	S&D Calibration	Vascar Certification	\$ 32.00	
	Sumeral Tire	Tires	\$ 703.40	
				\$ 4,665.97
Streets	Bevard	Gas	\$ 321.88	
	BNY Mellon	Pension	\$ 2,911.04	
	Gillespie Coal	Coal	\$ 156.00	
	Lees Plumbing	Catch Basins	\$ 13,850.00	
	Local 373	Union Dues	\$ 82.00	
	Lowe's	Space Heater	\$ 81.68	
	Luzerne Township	Grass Cutting	\$ 4,250.63	
	Luzerne Township	Pond Stocking	\$ 1,101.75	
	NAPA	Supplies	\$ 273.31	PLGIT
	PA One Call	Street Digs	\$ 9.62	
	US Municipal	Signage	\$ 87.90	PLGIT
				\$ 23,125.81
Fire	Brownsville Fire Co. #1	Contribution	\$ 9,000.00	
	South Brownville Fire Co. #1	Contribution	\$ 9,000.00	
	Center Independent	Gas	\$ 293.49	
	PA American Water	Hydrants	\$ 1,360.10	
	SWIF	Workers' Comp	\$ 577.00	
				\$ 20,230.59
	TOTAL BILLS PAID			\$ 85,067.52
BOROUGH OF BROWNSVILLE				
MONTHLY BILLS DUE THIS MONTH - November 2023				
General Fund	AT&T	Cell Phone	\$ 62.22	
	Herald Standard	Advertising	\$ 62.33	
	West Penn Power	electric	\$ 94.07	
				\$ 218.62
Payroll	BNY Mellon	Pension Payment	\$ 2,163.43	
	IRS	Federal 941	\$ 6,829.04	
	PA Withholding	payroll tax	\$ 1,263.98	
				\$ 10,256.45
	TOTAL INVOICES DUE THIS MONTH			\$ 10,475.07
MONTHLY BILLS DUE / VARIOUS DUE DATES				
The following McMILLEN invoices are due from various Grant Funds (REIMBURSABLE):				
	McMillen Engineering	Fenwick Park	\$ 10,000.00	
	McMillen Engineering	Wharf	\$ 6,893.00	
				\$ 16,893.00
The following McMILLEN invoices are due from various Grant Funds (NON-REIMBURSABLE):				
	McMillen Engineering	Fenwick Park	\$ 15,861.00	
				\$ 15,861.00
	TOTAL INVOICES DUE - Various Dates			\$ 32,754.00