

**BROWNSVILLE BOROUGH
FAYETTE COUNTY PENNSYLVANIA
October 14, 2021**

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 6:00 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, Jackie Jackson, Barbara Pfeffer, and Beth Bock. Mayor Ross H. Swords, Jr. was not present for tonight's meeting.

RECOGNITION OF VISITORS

Connie Gore, 131 Front Street: Ms. Gore stated that her complaints were the only ones discussed publicly at last month's meeting. Her first complaint was for the diseased tree that in 2013 her surveyor and ours agreed is located on a Borough right-of-way. The weight of the massive branches could damage her property during a storm. Jack Lawver had Scott's Tree Service cut the tree. Prior to the work, in January 2014, Jack Lawver noted they would leave a stump, which she calculates around 25 feet high. In 2021, this stump is severely diseased has an excessive amount of bugs, including wood-boring insects. Since April 26, 2021, she asked twice in writing and twice at a public meeting, for Council to deal with this. Ms. Gore stated that at last month's meeting, Jack Lawver stated it was not a Borough tree and Paul Synuria agreed. She stated this is not true, particularly since Council paid for her sidewalk repair after the tree service damages when it was cut last time. She is asking Council to hire a licensed and insured contractor to remove the rest of the tree and treat the surface areas so the infestation does not damage her historic home.

The Baptist Church at 128 Market Street, she is asking why Council did not do something 26 years ago. She originally approached Council in 2011, to do something about the unsafe structure. Council said nothing could be done because there was no owner. The DCED assigned a representative to encourage Council to do something about the unsafe structure and blight. There is now an owner. She was told by several county and state officials that Borough officials are the reason nothing has been done, and that the Borough rejected the state's assistance. Regarding Jack Lawver's comment about a court decision absolving the Borough, this is inaccurate. The Borough's code officer has not issued any fines or citations since 1995 to anyone affiliated with the church. Tracy Sheehan Zivkovich asked Jack Lawver last month if he knew of any complaints on that church, which he stated he was not aware of. Why was Jack Lawver asked when he is not in charge of Building and Grounds or the Police. Since late 2010, Ms. Gore has made dozens of reports about people being in that structure, to 911, Police, Mayor, and Council. At one meeting it was noted the Mayor ordered people out of that building. Paul Synuria stated that Myron Nypaver, code officer, told him the structure is not in endangering any property. The state, county, Columbia Gas, and Ms. Gore's Structural and Geotechnical Engineer. Before the buildings collapsed downtown, Myron was to evaluate the church, and she has asked several times for that report, but still has not received it.

Ms. Gore is submitting four Right to Know Requests for information. She has volunteered her time and wants to see Brownsville prosper. She spends nearly \$700 per year to maintain the Borough right-of-way. Will Council please take steps to steps to have the tree removed and the surface area treated? Will the Borough and its Code Officer initiate action in accordance with Borough and County ordinances and state law against the owner of the abandoned Church property at 128 Market Street?

Paige Tichnor, 143 Prospect Street, 724-912-2008. She received a parking ticket, as did everyone else on her street. Her household received two tickets. There is no parking available on her street. She wants to know what can be done about these tickets. Lester Ward noted this street is narrow, and even a medium-sized truck parked on this street would prohibit other vehicles from passing through because there is a wall on the other side of the street. The residents have to look at their surroundings and be aware of how narrow this street is when they park and block passage.

Ms. Tichnor was advised by Tracy Sheehan Zivkovich that she could try to dispute the ticket, but that she ultimately parked on a sidewalk here parking is prohibited.

Beth Bock asked if the grounds crew did any cutting up there. Jack Lawver noted they do, but the wall is the issue. Ms. Tichnor was advised to exercise her right to dispute the ticket through the Mayor's office to see what can be done. Lester Ward is willing to put a word in for her if she has to go to court.

MINUTES

Motion by Lester Ward to approve the minutes from September 8, 2021. Second by Jackie Jackson. All in favor. Motion carries.

MAYOR'S REPORT

The Mayor was unavailable to give the Mayor's Report this month. Magisterial fines totaled \$732.64.

Coca-Cola night has been moved to November 21, tentatively from 5-8. Halloween parade will be on October 30.

Tracy Sheehan Zivkovich noted the Mayor asked to purchase a police car from donated money from 84 Lumber. Melissa S. O'Brien noted the Mayor is getting quotes from Costar dealers on new cars, decals, and upfitting. Paul Synuria asked for clarification. Tracy Sheehan Zivkovich noted we are giving the Mayor authorization to purchase.

Motion from Paul Synuria to purchase a new police car. Second by Jack Lawver. 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. Votes are unanimous. Motion carries.

FINANCE & ADMINISTRATION

Lester Ward reported the total funds at this time are \$336,853.19, including General Fund \$78,287.74, Payroll \$948.83, Petty Cash \$234.52, Act 13 \$21,384.84, K-9 Fund \$4,248.95, Fire Escrow \$0.00, Parking Authority \$1,920.59, PLGIT \$102,436.29, ARPA Grant Fund \$116,392.16, and Comprehensive Plan Fund \$10,999.27.

The investment account balances for August were \$513,779.65, including \$430,318.33 in Mass Mutual and \$83,461.32 in BB&T.

Monthly bills paid in August were \$67,297.08. Bills that still need paid total \$28,259.55 from the General Fund and \$0.00 from PLGIT. Deposits this month totaled \$78,809.30.

Motion by Lester Ward to pay the remaining bills. Second by Jack Lawver. Paul Synuria questioned how the Fire Escrow account works. Jack Lawver explained that a 10% hold goes to the Borough until the property owner cleans up or restores their property after fire damages, and if the owner does not do so, the Borough can use that money to pay for clean up.

Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, yes; Beth Bock, yes; Barbara Pepper, yet. Jackie Jackson, yes. Votes are unanimous. Motion carries.

Lester Ward would like to get Budget meetings done in the next week. Tracy Sheehan Zivkovich noted that she would like to have a Budget meeting on November 4 and hopes all individual departments have met and are done submitting budget numbers by that time.

CODE ENFORCEMENT

There were 26 total complaints this month, 3 home inspections, 10 court hearings, 65 citations, and 14 letters sent to residents. Fines and fees for this month totaled \$473.40.

Jackie Jackson questioned the Code Citations and how many we have to send before something is actually done. Lester Ward noted that we take people to court, but we hardly ever see results from those fines. Fines are paid monthly or people have the option to do community service work rather than pay the fine. Tracy Sheehan Zivkovich noted that Paul Synuria is now tracking repeat offenders via the Code report, and Woody Nicholson lists that violations separately, so they are easily tracked. Jack Lawver noted we collected approximately \$3,500 in fines this year, but the issue is that it is easy for companies to transfer ownership of their properties and not pay their fines.

BUILDINGS & GROUNDS – PAUL SYNURIA

Paul Synuria noted we put a bid in for 149 High Street, but we have not yet heard from the County on the last tax sale.

Ford Business Machines is in the process of ordering and installing our new phone system. We are still dealing with Atlantic Broadband until that happens.

Fiddles would like to eliminate the last parking spot in front of their building. They want to put concrete columns in front of the parking spots. Paul Synuria will check into the cost to do that, as the owners would like the Borough to purchase the supplies.

Motion by Paul Synuria to pass Ordinance O-3-2021 regarding Dumpsters and PODS. Second by Jack Lawver. All in favor. Motion passes. The question of enforceability came up and Jack Lawver noted that Borough Code refers to a 30-day enforceability rule for Ordinances and Resolutions.

West Penn Power would like the telephone pole line that is located outside of the Borough building and across High Street moved by December 1.

PUBLIC SAFETY – BETH BOCK

There were 47 calls for service, 29 citations, 9 total incidents, 2 arrests and 0 transports. Car 1 ran 557 miles and Car 3 ran 533 miles, for a total of 1,110 miles.

Lt. John Brant was in attendance and noted he had no additional information to add.

STREETS – JACK LAWVER

The department reports were not available at this time.

The paving project has been completed. Our PennDOT representative had some final issues for the paving company to finish, which they were notified of and will finalize this week. The bill is approved by PennDOT.

The street opening on Water Street is done according to code. Jack Lawver has called a few junkyards to get a price on our street sweeper.

RECREATION – JACKIE JACKSON

Jackie Jackson received an email from the Rivers of Steel grant and was notified there were 16 applicants in the running, and we are one of them. Ms. Jackson is looking into other grants for the Water Street project.

ECONOMIC DEVELOPMENT – BARBARA PEFFER

Barbara Pepper noted Cornerstone Care was in yesterday and had a good turnout. They will be back on November 11 and December 7, from 9 am – 3 pm. They are providing medical, psychiatric, COVID testing, and women's care. It is a walk-up clinic.

LIBRARY – PAUL SYNURIA

The library had a teen short-story contest, where winners were announced last week. We had the honor of Jeff Strand, an adult horror novelist, announce the winners Gavin E., Charlie S., Vanessa L., with an honorable mention to Josh G. The majority were all sixth graders of Miss Reed's class. They were all very well written. Paul Synuria wanted to thank all of the student who entered. Barbara Pepper asked if they would be available for anyone to read, which Paul Synuria noted the library would be publishing them in the paper. This will be an annual contest. Tracy Sheehan Zivkovich congratulated all of the young writers.

FIRE DEPARTMENTS – BETH BOCK

Northside's total number of incidents for the month of September were 27, which includes 3 fires, 11 rescue and emergency medical services, 3 hazardous conditions, 3 service calls, 0 good intent calls, 7 false alarms, and 0 special incident.

Southside did not submit a report.

Jack Lawver noted that the schools are involved in a fire prevention essay for 5th to 8th graders, and last year Brownsville had 5 winners. Out of approximately 800 applications a year, that's a great turnout. They should announce this years winners sometime in the next two months.

Paul Synuria wanted to say thank you to the local departments who helped with his sister's house fire this month. By the time he arrived, they were already on the scene.

Tracy Sheehan Zivkovich noted this is the second month that we have not received a report from Southside and would like to remind them that we need their reports monthly.

TAX BUREAU

Lester Ward noted the per capita taxes for those over 62 years of age were waived. He suggests that the Borough look into this as well, which Tracy Sheehan Zivkovich agreed and suggested discussing it during budget meetings. Beth Bock questioned whether this was just the increase or the whole tax, and Mr. Ward believed it was the whole tax. It was also noted that bills have already been sent out and this could potentially cause an issue.

SOLICITOR'S REPORT – MITCH MITCHELL

K2 invoiced the Borough for \$750 regarding the surveyed property. The Township has expressed that they will not incur any additional cost. Solicitor, Mitch Mitchell provided deeds for these properties. Tracy Sheehan Zivkovich noted our options are to pay the invoice or go back to the negotiating table with the Township and Mr. Beckman.

Jack Lawver makes a motion to pay the invoice, second by Paul Synuria. Paul Synuria feels that we should bear the cost as it was a learning experience for all of us. Solicitor, Mitch Mitchell noted there was a survey issue and he asked for K2 to fix it. There should not be a charge and he hopes we will not be billed again. Roll call vote: Tracy Sheehan Zivkovich, yes; Paul Synuria, yes; Jack Lawver, yes; Lester Ward, yes; Beth Bock, yes; Barbara Pfeffer, yes; Jackie Jackson, yes. Votes are unanimous. Motion carries.

OLD BUSINESS

There was a public meeting on October 6 regarding the cast iron bridge renovation. They are coming back to discuss in more detail. We will be seeing major changes to this area, including a walkway and a structurally sound bridge.

The Civil Service Board is still seeking board members.

There is a public meeting on Thursday, October 28, 6 p.m. at St. Mary's Hall. Dennis Martinak is coordinating this and invited the other municipalities. Tracy Sheehan Zivkovich invited everyone to attend and hopes to see everyone there.

Grant applications at the state level have been pushed back, but we should hear something soon on our application.

Beth Bock emailed a video policy to Council for review and approval. Melissa S. O'Brien requested a copy emailed to her. Tracy Sheehan Zivkovich asked Beth Bock to review this with the Mayor as it should be incorporated into the Mayor's update of the Policy Manual.

Lester Ward asked about the speed safety corridors in town. Beth Bock noted she has been working with Solicitor, Mitch Mitchell on areas we have issues for speed safety corridors. There are several areas where speeding is an issue, and if we are able to enforce this and double the fines in these areas, it will slow people down. Solicitor, Mitch Mitchell noted we have to enforce these things to make them work. Lt. Brant noted a 2-man detail would be needed to do something like this.

NEW BUSINESS

The Borough audit is not completed and several months past due at this time, as we only have one Auditor. Tracy Sheehan Zivkovich asked Melissa S. O'Brien to provide her with a list of reports and audits that are due and also those that are completed.

Paul Synuria asked how the extra hours that the secretary is working during the audits and budget prep are being handled; are we allowing her to take comp time rather than paying overtime. Tracy Sheehan Zivkovich noted comp time is being taken on an as-needed basis.

Tracy Sheehan Zivkovich announced that our Borough Auditor resigned. We advertised for the position and received one application from Mike Klamerus from Catherine Avenue. Motion to appoint Mr. Klamerus by Jack Lawver, second by Lester Ward. Beth Bock asked if the person needed to be bonded, which Council will check into. Lester Ward asked if he would be able to

work in the daytime. Tracy Sheehan Zivkovich noted he is retired and should be able to do so. 6 yes votes; 1 no. Motion passes.

Tracy Sheehan Zivkovich would like to discuss paperless meetings. Council members, please let Tracy Sheehan Zivkovich know if you have access to a computer so we do not use so much paper. Paul Synuria objects. Barbara Pepper does not have a laptop, only a desktop computer. Beth Bock asked if there was a grant for laptops for each Councilperson. She will check with Richard Martin, California Borough Councilman. Jack Lawver believes the ARPA grant would allow for this.

Beth Bock would like to get minutes earlier than the night of the meeting.

Melissa S. O'Brien would like to attend a Municipal training, at a cost of \$75. Beth Bock noted that all trainings materials are available online for one year. 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. Votes are unanimous. Motion carries.

Lt. Brant has nothing to report.

Paul Synuria noted the church is for sale on ebay. Myron is going to send the new owners code issues.

Jack Lawver and Lester Ward attended the conference in Erie this weekend and will provide all information to Council.

Regarding the paperless meetings, the Borough computer is available for anyone, and a complete packet would always be available at the Council meetings.

MEETING ADJOURNMENT

Motion to adjourn by Paul Synuria. Second by Lester Ward. Meeting adjourned.



Melissa S. O'Brien, Secretary/Treasurer



TREASURER'S REPORT

November 2021

BANK ACCOUNTS (adjusted through October 31, 2021)

General Fund	\$	61,301.24
Payroll	\$	15,731.03
Petty Cash	\$	234.52
Act 13	\$	21,387.05
K-9 Fund	\$	4,249.37
Fire Escrow	\$	1.00
Parking Authority	\$	1,920.59
PLGIT	\$	54,039.52
ARPA Grant Fund	\$	116,392.16
Comprehensive Plan Fund	\$	10,999.27
TOTAL	\$	286,255.75

INVESTMENT ACCOUNTS (adjusted through October 31, 2021)

BB&T	\$	85,030.15
Mass Mutual	\$	-
PSAB Municipal Retirement Trust	\$	436,964.94
TOTAL	\$	521,995.09

DEPOSITS (adjusted through November 10, 2021)

Mayor Ross H. Swords, Jr.	Fines & Fees	\$	845.28
Clerk of Courts	Fines & Fees	\$	39.48
Brownsville Township	Police Protection	\$	3,750.00
MDJ	Code Fines & Fees	\$	395.42
Fayette County	Delinquent Real Estate Taxes	\$	5,044.00
Fayette County	Delinquent Fire Hydrant Taxes	\$	393.45
Fayette County	Delinquent Street Light Taxes	\$	1,178.77
Commonwealth of PA	Comprehensive Plan 1/3	\$	13,433.00
Tena Congelio	Real Estate Taxes	\$	2,330.92
Tena Congelio	Fire Hydrant Taxes	\$	157.30
Tena Congelio	Per Capita Taxes	\$	31.50
Tena Congelio	Street Light Taxes	\$	484.90
Recorder of Deeds	Real Estate Transfer Tax	\$	2,184.96
SWRTB	Local Service Tax	\$	50.25
SWRTB	Earned Income Tax	\$	7,870.51
First National Bank	Interest	\$	24.08
Various	No Lien Letters	\$	15.00
Various	Occupancy Permits	\$	40.00
TOTAL		\$	38,268.82

BOROUGH OF BROWNSVILLE				
MONTHLY BILLS PAID - November 2021				
DEPARTMENT	VENDOR	FOR	AMT.	TOTAL
Finance	Atlantic Broadband	Phone & Internet Services	\$ 537.76	
	DeLage Landen Financial	Copier Lease	\$ 158.02	
	EMC Insurance	Insurances	\$ 4,363.30	
	FayCo Assessment	Tax Collector Supplies	\$ 333.33	
	Guardian Life	BEO Insurance	\$ 42.16	
	IRS	Federal Income Tax	\$ 4,219.35	
	Microsoft	Office 365	\$ 37.50	
	PA Department of Revenue	PA Taxes	\$ 738.15	
	Quill	Office Supplies	\$ 110.27	
	UPMC	Employee Insurance	\$ 8,512.32	
				\$ 19,052.16
Buildings	Brownsville Municipal	Sewage	\$ 149.60	
	Columbia Gas	Gas Bill	\$ 143.26	
	Kiss My Grass	Lawn care	\$ 180.00	
	PA American Water	Building	\$ 69.53	
	Terminix	Pest Control	\$ 63.00	
	West Penn Power	Building & Grounds	\$ 766.93	
				\$ 1,372.32
Police	Bevard	Gas	\$ 476.08	
	Local 491	Union Dues	\$ 160.00	
	PA Turnpike	Tolls	\$ 3.90	
	PSAB	Police Pension	\$ 1,145.86	
	Quill	Police Supplies	\$ 38.24	
	SPJ	Uniform Reimbursement	\$ 274.52	
	Verizon Wireless	Police Phone	\$ 40.01	
				\$ 2,138.61
Streets	Bevard	Gas	\$ 382.58	
	CAT Financial	Street Equipment	\$ 283.16	PLGIT
	Coulson's	Street Equipment & Repairs	\$ 1,109.95	PLGIT
	Gebe & Skocik	Tires	\$ 604.00	PLGIT
	Local 373	Union Dues	\$ 78.00	
	NAPA	Supplies	\$ 292.15	PLGIT
	NAPA	Supplies	\$ 292.15	PLGIT
	PA One Call	Street Openings	\$ 13.87	
	Redstone Excavating	Street Paving	\$ 46,686.75	PLGIT
	West Penn Power	Street Lights	\$ 4,611.44	
	West Penn Power	Traffic Lights	\$ 133.90	
				\$ 54,487.95
Fire	Center Independent	Gas	\$ 533.25	
	PA American Water	Hydrants	\$ 1,154.83	
	West Penn Power	Fire Whistle	\$ 21.34	
				\$ 1,709.42
	TOTAL BILLS PAID			\$ 78,760.46
BOROUGH OF BROWNSVILLE				
MONTHLY BILLS DUE - November 2021				
	Bills paid this month total	\$ 78,760.46		
The following bills are due this month:				
	Comprehensive Plan	Borough portion	\$ 13,433.33	
	Giannetti Motors	Oil Change - Police Car	\$ 46.98	
	JG Service	Gas	\$ 122.32	
	K2	Survey	\$ 750.00	
	LCFOWPA	Street Department Pension	\$ 2,353.12	
	PAWC	Fire Hydrants	\$ 1,154.83	
	PAWC	Shed Water	\$ 19.75	
	PAWC	Building Water	\$ 62.88	
	S&D Calibration	Vascar Certification	\$ 64.00	
	West Penn Power	Electric	\$ 11,218.32	
	Who Rescued Who	Animal Control	\$ 1,030.00	
	TOTAL BILLS DUE			\$ 30,255.53
The following bills are due from the PLGIT Account:				
	Coulson's	Oil	\$ 33.90	
	NAPA	Dump Truck Battery	\$ 120.99	
	Sherwin Williams	Street Line Paint	\$ 266.23	
				\$ 421.12
	TOTAL BILLS DUE THIS MONTH			\$ 30,676.65