

**BOROUGH OF BROWNSVILLE
FAYETTE COUNTY PENNSYLVANIA
SEPTEMBER 11, 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. A moment of silence was taken for the victims of 9/11 and also for Chuckie Clayton.

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 was in attendance to ask Council to set up an email address for the Planning Committee, and also for recommendations from Council on guidelines and design standards. Myron Nypaver noted this is the opposite of how it should work, and that the Planning Committee should be making recommendations to Council based upon the Comprehensive Plan. If the Comprehensive Plan does not have design standards, the Planning Committee can recommend them. Tracy Sheehan Zivkovich noted the RACF has design standards that are already established for the Borough. Robb Rhodes noted he is on the Historical Commission, and they have reached out to other historical commissions to see what their standards are, and this is something the Planning Committee could possibly do.

Ms. Gore also asked if there was an update on 128 Market Street, which both Myron Nypaver and James Lawver noted there was not an update at this time.

BRUCE CARR, Second Street. Mr. Carr noted he lives on Second Street where his family has lived for 40 years. There is a stop sign there and the prison guards use this road as a racetrack. Someone spoke to them and the situation has not stopped. Mr. Carr is concerned that someone is going to be hit and killed here, and he would like the Borough to install speed bumps. He has been asking for several years. James Lawver asked Chief Brant what could be done, which Chief Brant noted that this has been an area that has been watched for several years. Mr. Carr noted it is everyone speeding through there now, not just the prison traffic, and he is concerned. A speed bump is \$80 and he would like the Borough to put one in. James Lawver noted the Borough would look into it.

MINUTES

Motion by Shane Ronzio second by Jackie Jackson to approve the August 14, 2024 minutes. All in favor. Motion carried.

Motion by Mike Walters second by Shane Ronzio to approve the August 17, 2024 minutes. All in favor. Motion carried.

AGENDA

Motion by Jackie Jackson second by Shane Ronzio to approve the September 11, 2024 regular meeting agenda.

Mayor Ross H. Swords, Jr. noted he added a topic to the Agenda to name the pedestrian bridge but it was removed by James Lawver, who stated something like this needs to be discussed, which Mayor Ross H. Swords, Jr. stated that is what the Council meeting is for. Mayor Ross H. Swords, Jr. stated there should have been a call made to him by James Lawver informing him that he was removing one of his Agenda items. Mayor Ross H. Swords, Jr. also stated all Council members seated at the table are equal until the night of the meeting, and asked what gives any member of Council the right to remove another member's Agenda items. James Lawver stated the last administration did the same thing, which Mayor Ross H. Swords, Jr. noted he did not recall any of his Agenda items being removed without discussion. Tracy Sheehan Zivkovich asked the Mayor what language had on the Agenda, which Mayor Ross H. Swords, Jr. stated it was a Resolution to name the Market Street Pedestrian Bridge. The Mayor spoke to officials from both Representative Warner's office and the Commonwealth to see what steps had to be taken to name the bridge. He followed proper procedure, had a Resolution prepared, and asked that a motion be placed on tonight's Agenda regarding the naming of the bridge. That language was removed and replaced with a vague statement regarding naming the bridge. James Lawver

noted there are a lot of people in this town deserving of this honor, and to arbitrarily name one person without discussion is wrong. Mayor Ross H. Swords, Jr. stated that the issue here is that everyone on Council has known about the pedestrian bridge for two years, and no one did the leg work or had any suggestions on naming it, so he did all the work and research and it was removed without discussion. James Lawver stated the point has been made and we are moving on.

Tracy Sheehan Zivkovich recommended the motion be added back to the Agenda and then discussion could take place. Solicitor, Christian Sesek stated we cannot take action on it tonight since the Agenda currently does not state the motion originally draft by the Mayor. Tracy Sheehan Zivkovich stated the previous administration did not remove motions from agendas.

Votes are 6-1 with Tracy Sheehan Zivkovich being the only "no" vote. Motion carried.

MAYOR'S REPORT – Brian Brashear

Mayor Ross H. Swords, Jr. reported for the month of August that there were 108 calls for service (78 Borough, 10 Township, 20 out of town), 18 citations (16 Borough, 2 Township, 0 out of town), 25 incidents (25 Borough, 0 Township, 0 out of town), 5 arrests, and 0 prisoner transports. A total of 816 miles were put on the police vehicles last month.

Mayor Ross H. Swords, Jr. noted the fines for the month of August were \$1,113.39, including \$1,104.02 from the Magistrate and \$9.37 from the County.

Tracy Sheehan Zivkovich excused herself from the meeting for an emergency at 6:20 pm.

Brian Brashear noted that three applicants were brought in and interviewed and they are taking the next steps in the hiring process. Chief Brant discussed that process. Mayor Ross H. Swords, Jr. noted there is a motion to increase part-time hourly wages, but without a budget increase. Motion by Shane Ronzio second by Mike Walters to increase part-time patrolman hourly wages from \$18 to \$25. **Roll Call**: James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes. Votes are unanimous. Motion carries.

Mike Walters asked about the interviews, and clarified they were all cadets. James Lawver noted they asked if they were not hired as full-time patrolmen, would they accept part-time and they all stated yes.

Mayor Ross H. Swords, Jr. would like to discuss the naming of the pedestrian bridge. James Lawver noted there are many individuals he feel the bridge could be named after. Rather than an individual, it could possibly be an organization or group. Brian Brashear noted there are a lot of notable people from Brownsville, and feels a discussion should take place. Mike Walters asked if this was something we have to do, which Mayor Ross H. Swords, Jr. noted this was an idea that he had and something he would like to do this, which is why he took the initiative to start the process. Mike Walters asked if we had any other candidates or if we should create a list of potential candidates. Mayor Ross H. Swords, Jr. noted we cannot act on it now anyway, but it is something to think about. Kasandra Ward noted there was no pushback when Ray Charles Way was named, and James Lawver responded that polling was done. Discussion ensued about recommendations and community polling. Mayor Ross H. Swords, Jr. noted he would look into polling the community.

FINANCE & ADMINISTRATION – Mike Walters

Michael Walters noted that the total non-restricted funds at this time are \$316,498.68 and restricted funds total \$188,255.40. Deposits for the month total \$19,113.02. Monthly bills paid were \$159,819.95.

Motion by Mike Walters, second by Shane Ronzio to pay the General Fund bills in the amount of \$2,650.78. **Roll Call**: James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes. Votes are unanimous. Motion carried.

Motion by Mike Walters, second by Brian Brashear to pay the Payroll bills in the amount of \$2,445.39. **Roll Call**: James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes. Votes are unanimous. Motion carried.

The Grant Fund invoices were discussed, but it was determined that none were able to be paid at this time.

As of today's date, we are approximately 70% through the year and we have collected 75% of our projected revenue. Our expenses include reimbursable expenses of \$307,826 and without those expenses we are at 53% of our budget for the year.

James Lawver asked if we could start on the budget this month. Mike Walters noted we could skip items for now and get started on what we can.

BUILDINGS & GROUNDS – Mike Walters

Mike Walters asked for information on the Second, Hollow & Joiner damages, which Chief Brant spoke on and stated there was evidence that it happened but the company is disputing the charges and damages. Solicitor, Christian Sesek offered to send a letter to the company, and at Kasandra Ward's request, he noted it would be approximately one to one and one-half hours.

Mike Walters noted he looked into a mini-split system for the police station, estimated to cost approximately \$2,500, and would like to use Act 13 to pay for the expense as it is for the police department.

Motion by Mike Walters, second by Kasandra Ward for the purchase and installation of a mini-split system installed by Tri County Heating and Air Conditioning for the police department, at a cost not to exceed \$2,500, payable from Act 13. James Lawver asked if the mini-split would control the Mayor's office too, which Mike Walters noted only if the door was open. **Roll Call:** James Lawver, yes; Shane Ronzio, yes; Brian Brashear, yes; Jackie Jackson, yes; Mike Walters, yes; Kasandra Ward, yes. Votes are unanimous. Motion carried.

The wharf update is that the docks and gangway are paid for. The pilings are out for bid, with bids due on December 6, and they will be installed in the spring. John Onisko will handle the removal, installation, and storage of the docks. They will be in every year before Memorial Day and removed by Halloween. The pilings will be installed in the spring. Phase 2 is the pilings and Phase 3 is the facelift of the wharf. Shane Ronzio asked for clarification, which Mike Walters discussed Mr. Onisko taking the docks out, storing them over the winter, and reinstalling them in the spring.

ECONOMIC DEVELOPMENT – Shane Ronzio

Shane Ronzio noted there seems to be a broken post at the cloverleaf and asked if it could be removed.

Shane Ronzio asked about the broken window at the old bank building, which James Lawver noted he spoke to Andrew French and it should be boarded up this week. Mike Walters noted someone reached out to him about viewing the old bank building and townhouse, and stated he is very interested in preserving both buildings. James Lawver noted he has spoken to the RACF as well. Shane Ronzio asked what the timeline was on the demolition, which the RACF does not have a date.

Shane Ronzio noted the Thompson House just reopened.

The Farmers Market is on Saturday, September, 28 and people can reach out to Kim Brashear for information. Mike Walters asked Shane Ronzio to come over and get some updates on the Tap House, as they just recently passed all their inspections and will start working on the first floor. The building owner has committed to renovating his other building in town as soon as the Tap House is complete.

Eric Johnson was in attendance for tonight's meeting and he noted he lived on the Northside behind NAPA, and he and his wife would like to open a business in town. They would like to have a private practice in town, and they are looking for buildings. They looked at the building next to the pharmacy, but need something small, and would like to start as soon as November. Mike Walters noted he would like to help find a spot for them.

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

Code fines for the month total \$78.89 from the magistrate.

Motion by Brian Brashear, second by Shane Ronzio to ratify the Declaration of Emergency Burn Ban issued by the Mayor on July 15, 2024, which expired on August 14, 2024. All in favor. Motion carried.

Myron Nypaver reported 8 phone complaints, 5 email complaints, 19 inspections, 11 re-inspections, 13 high grass postings, 15 total citations prepared, and 24 total SWEEP citations issued. There are 15 citations to be filed.

Myron Nypaver discussed blighted structures and vacant lots, as well as the Upset Sale, which is September 23, 2024 where there are 60 borough properties on that list. There are 10 on the Free & Clear sale and 127 on the Repository list. Mr. Nypaver noted we can start land-banking these properties right from the Repository sale. There are 19 properties on one street, and the Borough can start land-banking for a future demolition. There are people we never want to sell properties to. The County is good at fighting blight and is working towards the creation of a Blight Taskforce.

EJ Petcheny from K2 noted there were no permits issued last month. The Cemetery Road project has been approved and K2 is anticipating their survey crew will be here in the next two weeks.

The loading zone on Bank Street is moving forward.

The Occupancy Permit Ordinance and Resolution have been submitted for Council's approval.

The Hollow Road MTF grant application was submitted on July 31. The blight study grant application was submitted through the Fayette County LSA grant on July 25. There are a few other grant opportunities that we are discussing, such as the PennDOT MTF and the DCNR grants.

FIRE STATIONS – Brian Brashear

No fire reports were provided from Northside or Southside.

Brian Brashear noted that the VFRA audit is included for Council's review.

LIBRARY – Brian Brashear

Brian Brashear informed Council about the Library's Murder Mystery and Screams events, both held in September.

PARKS & RECREATION – Jackie Jackson

Jackie Jackson noted she does not have any updates for Fenwick. She would like to send a thank you letter to Uniontown Lowe's for their mulch donation.

PUBLIC WORKS – Kasandra Ward

Kasandra Ward noted the Brown Street Pipeline project from Columbia Gas does not have a start date, but probably early spring. There was a lot of permitting required. This will go from Market Street to Brown Street and into the Township. This means Brown Street will be fully paved after this project is completed.

There is a narrative on Mill Road included for Council's review. Kasandra Ward noted she will be seeking funding for this project.

K2 covered the Cemetery Road project and the loading zone.

There is an email from K2 included as well, which discusses a statewide LSA grant. Kasandra Ward met with K2 and PMIS regarding blight. PMIS noted we tied street paving and blight remediation into a narrative so that the Borough could apply for both things through one grant. Turning the town around takes time and money, and as Mr. Nypaver noted, it will take approximately five years. Resident, Carole Rutt, asked how to learn more about the blight project as she is very interested. Mr. Nypaver noted there are 200 properties mainly located in the Southside of Brownsville and our goal is through a collective effort to come up with a blight strategy to demolish and rebuild in the neighborhood. Kasandra Ward noted this is the Borough's attempt at getting a handle on this blight. Ms. Rutt asked about landlords and tenants, and Mr. Nypaver explained the process.

PUBLIC UTILITIES – Tracy Sheehan Zivkovich

Nothing to report.

SOLICITOR'S REPORT – Peacock Keller

Nothing to report.

OLD BUSINESS

James Lawver noted that he and Mayor Ross H. Swords, Jr. would be calling tomorrow regarding the police damages from the Albany chase.

NEW BUSINESS

Motion by Shane Ronzio, second by Brian Brashear to adopt Ordinance O-04-2024 regarding Occupancy Permits. All in favor. Motion carried.

Motion by Shane Ronzio, second by Jackie Jackson to approve Resolution R-07-2024 to set inspection fees for Occupancy Permits as applicable to Ordinance O-04-2024. All in favor. Motion carried.

Motion by Kasandra Ward, second by Mike Walters to approve Resolution R-08-2024 establishing a procedure for the Sale or Disposal of Surplus Equipment and Other Personal Property. All in favor. Motion carried.

FAYETTE COUNTY – James Lawver

Five assessment appeals and one zoning board hearing notice are included in the packets this month.

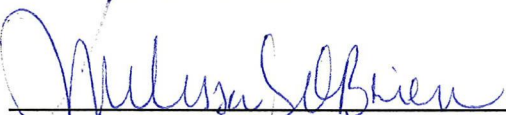
CORRESPONDENCE – James Lawver

Included in the correspondence this month are the annual report and audit for the Municipal Authority, a hotel tax grant flyer, planning commission minutes, and the TCBA meeting notice.

Heartland Fabrication sent a request for a letter of support for a Rail Freight Assistance Program grant.

MEETING ADJOURNMENT

Motion by Shane Ronzio, second by Mike Walters to adjourn the meeting at 7:28 p.m. All in favor. Motion carried.



Melissa S. O'Brien
Borough Office Manager/Treasurer



TREASURER'S REPORT		
September 2024		
CHECKING ACCOUNTS (adjusted through September 6, 2024)		
General Fund		\$ 195,473.40
Payroll		\$ 9,359.27
Petty Cash		\$ 236.83
PLGIT		\$ 111,429.18
	TOTAL General/Liquid Fuel Funds	\$ 316,498.68
Act 13		\$ 32,677.37
ARPA Grant Fund		\$ 20,445.34
Charles Street Bridge Grant Fund		\$ 48,317.33
Fenwick Park		\$ 30,257.28
Fire Escrow		\$ 17.75
Insurance Claims		\$ 48,920.47
K-9 Fund		\$ 5,644.97
Parking Authority		\$ 1,974.89
	TOTAL Restricted Funds	\$ 188,255.40
DEPOSITS (adjusted through September 6, 2024)		
Mayor Ross H. Swords, Jr.	Fines & Fees	\$ 1,104.02
Fayette County	Fines & Fees	\$ 9.37
MDJ	Code Fines & Fees	\$ 78.89
Recorder of Deeds	Real Estate Transfer Tax	\$ 879.42
SWRTB	Taxes	\$ 15,759.17
Banks	Interest	\$ 1,976.17
Various	Street Openings	\$ 410.00
	TOTAL Deposits	\$ 19,113.02

BOROUGH OF BROWNSVILLE				
MONTHLY BILLS PAID - September 2024				
DEPARTMENT	VENDOR	FOR	AMT.	TOTAL
Finance/B&G	Breezeline	Internet	\$ 161.73	
	Brownsville Fire Co. #1	Donation	\$ 6,750.00	
	Brownsville Fire Co. #1	Donation	\$ 2,250.00	Act 13
	Brownsville Municipal	Sewage	\$ 141.90	
	DeLage	Copier Lease	\$ 212.53	
	EMC Insurance	Insurances	\$ 5,347.70	
	FayCo Chamber of Commerce	Dues	\$ 100.00	
	FayCo Recorder of Deeds	Deed Filings	\$ 206.50	
	FayCo Tax Claim	Repository Purchases	\$ 50.00	
	Ford Office Technologies	Phone & Fax	\$ 206.83	
	Guardian Life	BEO Insurance	\$ 24.92	
	Herald Standard	Advertising	\$ 123.57	
	Hunter's Excavating	Emergency Demo	\$ 10,000.00	Reimbursable
	IRS	Federal Income Tax	\$ 4,703.38	
	K2	Grant Writing	\$ 9,100.00	
	Klamerus, Michael	Auditor	\$ 125.00	
	Lawver, Jack	Auditor	\$ 140.00	
	McMillen Engineering	Wharf	\$ 521.25	Grant Fund
	Microsoft	Office 365	\$ 50.00	
	Northeast Products	Dock Deposit	\$ 64,065.00	Reimbursable
	PA American Water	Water	\$ 129.55	
	PA Department of Revenue	PA Taxes	\$ 648.29	
	PA UC Fund	Unemployment Insurance	\$ 172.38	
	Peacock Keller	Retainer	\$ 500.00	
	Peacock Keller	Solicitor Fees - additional	\$ 3,643.00	
	Playground Boss	Swingset	\$ 7,124.00	Reimbursable
	Postmaster	Postage	\$ 146.00	
	PSAB MRT	Pension	\$ 1,200.00	
	Quill	Paper	\$ 178.55	
	R&D Watters	Port a Jon rental	\$ 176.00	
	Silbaugh, Dan	Auditor	\$ 110.00	
	South Brownsville Fire Co. #1	Donation	\$ 6,750.00	
	South Brownsville Fire Co. #1	Donation	\$ 2,250.00	Act 13
	Terminix	Pest Control	\$ 74.00	
	Uline	Fenwick Park Benches & Tables	\$ 2,995.03	Reimbursable
	UPMC	M/D/V Insurance	\$ 6,136.86	
	West Penn Power	Electric	\$ 13,165.21	
				\$ 149,679.18
Code Enf.	Hoffman Kennels	Animal Control	\$ 300.00	
	PMIS	Code Enforcement	\$ 726.00	
				\$ 1,026.00
Police	AT&T	Cell Phone	\$ 62.52	
	Bevard	Gas	\$ 281.84	
	EZ Pass	Tolls	\$ 38.00	
	Local 491	Union Dues	\$ 73.00	
	PSAB	Pension	\$ 744.16	
				\$ 1,199.52
Streets	Bevard	Gas	\$ 479.02	
	BNY Mellon	Pension	\$ 4,678.40	
	Local 373	Union Dues	\$ 84.00	
	Sherwin Williams	Road Paint	\$ 92.89	PLGIT
	Tractor Supply	Supplies	\$ 5.82	
				\$ 5,340.13
Fire	Center Independent	Gas	\$ 633.20	
	PA American Water	Hydrants	\$ 1,357.92	
	SWIF	Workers' Comp	\$ 584.00	
				\$ 2,575.12
	TOTAL BILLS PAID			\$ 159,819.95
BOROUGH OF BROWNSVILLE				
MONTHLY BILLS DUE THIS MONTH - September 2024				
General Fund	Breezeline	Internet	\$ 161.73	
	Peacock Keller	August retainer	\$ 500.00	
	Peacock Keller	August legal work	\$ 728.00	
	Somerset Trust	Fenwick equipment	\$ 642.88	
	Somerset Trust	B&G supplies	\$ 17.98	
	Somerset Trust	Interest	\$ 16.19	
	SWIF	Workers' Comp	\$ 584.00	
				\$ 2,650.78
Payroll	IRS	Federal Income Tax	\$ 2,131.96	
	PA Department of Revenue	PA Taxes	\$ 313.43	
				\$ 2,445.39
	TOTAL INVOICES DUE THIS MONTH			\$ 5,096.17
MONTHLY BILLS DUE / VARIOUS DUE DATES				
Var Grant Funds	Mar-Allen	Charles Street Bridge	\$ 140,979.68	
	McMillen Engineering	Fenwick Park	\$ 10,041.00	
	McMillen Engineering	Wharf	\$ 14,075.75	
				\$ 165,096.43
	TOTAL INVOICES DUE - Various Dates			\$ 165,096.43