

**MINUTES**  
**BROOKVILLE BOROUGH COUNCIL MEETING**  
**Tuesday November 1, 2022 @ 7:00 P.M.**

The Brookville Borough Council met in the large conference room on Tuesday, November 1, 2022 at 7:00 P.M. with the following in attendance:

<b><u>COUNCIL MEMBERS</u></b>	<b><u>STAFF</u></b>	<b><u>VISITOR/MEDIA</u></b>
Mayor Richard Beck	Manager Dana Rooney	Justin Felgar
Phil Hynes	Police Chief Vince Markle	Alex Nelson
Karen Allgeier	Fire Chief Chris Henry	Gary Hoffman
Randy Bartley	Public Works Director -	Bob Lewis
David Taylor	Jonathan Rhoades	
Lucy Ames	Code Enforcement Officer -	
Sarah Gallagher	Vince Markle	
	Recorder Christine Gunning	

**CALL TO ORDER:**

President Phil Hynes called the meeting to order at 7:00 P.M., and led the group in the Pledge of Allegiance to the American Flag.

**CORRECTIONS/APPROVAL OF MINUTES:**

President Phil Hynes stated we will begin with the correction and approval of the minutes of our October 4<sup>th</sup> meeting. President Phil Hynes asked if there were any corrections, and there were none. Vice-President Karen Allgeier moved to approve the minutes of the October 4<sup>th</sup> meeting as submitted; seconded by Member Lucy Ames. Motion carried 6-0.

**FINANCIAL REPORTS:**

- A. Approval of Expenditures** – The current bills were presented for approval. President Phil Hynes asked if there were any additions or questions. Manager Dana Rooney stated she had one addition; \$2,460.00 for J's Custom Cleaning for October cleaning. Member David Taylor moved to approve the accounts payable with that addition; seconded by Second Vice-President Randy Bartley. Motion carried 6-0.
- B. Fund Level Financial Statements** – President Phil Hynes stated you have the Fund Level Financial Statement Summary, and if you have questions, we are available

**PUBLIC COMMENT:**

- A. Gary Hoffman - Trees** – Gary Hoffman stated he lives at 29 Waterford Pike, and the traffic is terrible. Gary Hoffman stated he has an issue with trees on the right of way right below his house. Gary Hoffman stated he understands there is a fifty foot right of way on residential streets, and asked if that was correct. Manager Dana Rooney stated they seem to vary, so she would have to look up that specific

one. Gary Hoffman stated maybe it is fifty, or maybe it is forty. Gary Hoffman stated these trees are within fifteen feet of the center line, and that would make them on your right of way. Gary Hoffman stated the trees are not on the neighbor's property, and several of them are dying. Gary Hoffman stated his issue is, he cannot see traffic on the road from his driveway because of the trees, and he thinks they contributed to an accident that occurred there. President Phil Hynes stated we might have to have Solicitor Jim Dennison look at the deeds. President Phil Hynes asked Gary Hoffman if his neighbor was in favor of this, and Gary Hoffman stated no, she does not want to get rid of the trees. President Phil Hynes stated he thinks we will have to figure out who owns the trees before we can do anything. President Phil Hynes stated what we can do is refer to our Solicitor to give us some advice on who has any obligation one way or the other and then we can get an answer to you. Gary Hoffman stated he would appreciate that. Gary Hoffman stated in addition to that, it is a twenty-five mile per hour zone, and no one goes twenty-five miles per hour. Gary Hoffman stated the police are welcome to sit in his driveway anytime and monitor the traffic. President Phil Hynes asked Police Chief Vince Markle if that is something he can do, and Police Chief Vince Markle stated yes.

## **REPORTS:**

### **Chief of Police**

- A. Statistics** – Police Chief Vince Markle stated in October the Brookville Police Department had 129 calls for service, wrote 242 citations, 189 warnings, and 152 parking tickets. Police Chief Vince Markle stated there were 4 felonies, 19 misdemeanors, 4 drug arrests, and 6 summaries.
- B. Officer of the Month** – Police Chief Vince Markle stated Officer Jaime Rinker was Officer of the Month again.

**Fire Chief** – Fire Chief Chris Henry read his written report (attached). President Phil Hynes thanked Fire Chief Chris Henry, the Brookville Volunteer Fire Company, and the Brookville Police Department for everything they did to make Halloween in the Borough safe.

**Public Works** - Public Works Director Jonathan Rhoades stated Allegheny Contracting should be finished up with the gas line project on Oak Street and Caldwell Street by the end of this week, or the beginning of next week. Public Works Director Jonathan Rhoades stated restoration might continue into next year, weather depending. Public Works Director Jonathan Rhoades stated Terra Works is almost done hooking the waterline up on Main Street. Public Works Director Jonathan Rhoades stated they still have a little bit of stuff to do for the water hook ups, and then they are going to start with storm either next week or after on Pickering Street and Diamond Alley. Public Works Director Jonathan Rhoades stated they will continue to pick up leaves up until November 18<sup>th</sup>, weather permitting. Member David Taylor stated we lost a stop light by the old Union Hotel, and asked who is taking care of that. Public Works Director Jonathan Rhoades stated we are. Public Works Director Jonathan Rhoades stated the cops caught

them, and it was a hit and run. Public Works Director Jonathan Rhoades stated we have one of them in the shop, and we are just waiting for a few more pieces.

**Code Enforcement** – Code Enforcement Officer Vince Markle stated back to Halloween. Code Enforcement Officer Vince Markle stated he drove around town today, and there was no debris or garbage around town, and only two pumpkins on Shanghai. Code Enforcement Officer Vince Markle stated for code enforcement, they had two junk vehicles this month, did a follow up on a house on Race Street, and they are still doing follow-up stuff on the cases they already have open.

## **Committee Reports**

### **A. Finance Committee**

1. **2023 Budgets – Approve to Advertise** – Finance Committee Chair Karen Allgeier stated all Members of Council have received the general fund and the specific fund budgets for 2023. Finance Committee Chair Karen Allgeier stated before we send that out, she wants to make sure that everyone is understanding of what goes on with the American Rescue Funds. Finance Committee Chair Karen Allgeier stated they are not included in the budget. Finance Committee Chair Karen Allgeier stated they are a one-time revenue source, and therefore they are run out of a separate pot of money. Finance Committee Chair Karen Allgeier stated we were told we will receive \$396,800.98, and they had discussed in the Finance Committee the water project for Grant Street which we already approved out of those funds, the Diamond Alley stormwater project, then we looked at the Marlin Street stormwater project, and regular projects up to about \$20,000.00, which came to \$193,000.00 of those funds. Finance Committee Chair Karen Allgeier stated the suspension bridge at Walter Dick Park is the final thing they would like to see come out of these monies, and it has been sent out again to be rebid. Finance Committee Chair Karen Allgeier stated at this time the Finance Committee is asking for approval to submit the 2023 budget for public comment for the next thirty days. Second Vice-President Randy Bartley stated just for the benefit of the press, you might want to tell them what the entire general fund budget amount is. Finance Committee Chair Karen Allgeier stated \$2,580,545.00. Second Vice-President Randy Bartley did that require a tax increase? Finance Committee Chair Karen Allgeier stated no, there is no tax increase in any of the funds for 2023. Finance Committee Chair Karen Allgeier stated we are living within our means at this point, and they are excited to be able to do this without raising any taxes during this difficult time for everyone. Second Vice-President Randy Bartley asked how much of the American Rescue Funds did we receive? Manager Dana Rooney stated we actually have all of it, and the only thing that is outstanding is they are talking about excess, so we may see extra. Manager Dana Rooney stated she would not get too excited, it cannot be too much. Finance Committee Chair Karen Allgeier stated she would like to have Council vote on putting the general fund budget, the street light

budget, the fire fund budget, and the library fund budget out for public review for the next thirty days. President Phil Hynes stated since this is coming from committee, no second is needed. President Phil Hynes asked all Members in favor of this motion coming from committee to say 'aye'. Motion carried 6-0. Finance Committee Chair Karen Allgeier stated she would like to thank Manager Dana Rooney and the department heads for all the hard work they did helping us put this budget together with no tax increase.

**B. Property Committee**

1. **Concession Stand Building** – President Phil Hynes stated the concession stand building issue will be tabled until the next meeting. President Phil Hynes stated they are still investigating and getting more information.

**Solicitor**

- A. **Depot Street Agreement** – President Phil Hynes stated Solicitor Jim Dennison is not here tonight, so the Depot Street Agreement is also tabled. President Phil Hynes stated he thinks it has been all put together, and if Solicitor Jim Dennison is done with the final version of that, we will get it out to Council for review, and hopefully it will be passed at the next meeting.

**Borough Manager**

- A. **Resolution 587-22 – Police Pension Contributions** – Manager Dana Rooney stated we have Resolution 587-22. Manager Dana Rooney stated this is a resolution reducing the police officers' contributions to the police pension plan for the year 2023. Manager Dana Rooney stated this is coming from the recommendation of the actuaries that oversee the police pension plan, and that would be taking it to the minimum allotage of one point zero three percent. Vice-President Karen Allgeier made a motion to approve Resolution 587-22 as presented; seconded by Second Vice-President Randy Bartley. Motion carried 6-0.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. **PennDOT Grant for Main Street Streetscape** – President Phil Hynes stated it is his understanding we were looking at a PennDOT grant for the Main Street Streetscape, but we are not far enough along in the planning process to really pursue that at this time, so that is also tabled.
- B. **Planning Commission Update**
  1. **Blair Hindman Subdivision** – Planning Commission Chairman David Taylor stated Blair Hindman came to the Planning Commission and asked for a simple subdivision up on Thompson Street to create two lots from three. Member David Taylor stated it was reviewed, and the Planning Commission recommends to Council that it be approved. Member David Taylor made a motion to approve the Blair Hindman subdivision; seconded by Member Lucy Ames. Motion carried 6-0.

2. **Deer Run Subdivision** – Planning Commission Chairman David Taylor stated Deer Run has been hanging around for decades, and Paul Pysh came to the last Planning Commission meeting with a proposal, and it is to be sent to our engineer for review. Planning Commission Chairman David Taylor stated they want to sell some residential lots there across from the school.
  3. **Public Utility Commission (PUC) Cables** – Planning Commission Chairman David Taylor stated a citizen came and asked about multiple cables in terms of hanging over his property, and we did not have anything we could do, frankly, because the Public Utility Commission covers all of that, and he does not think the municipality has anything to do with it. Planning Commission Chairman David Taylor stated it was just a matter of information for Council, and if we have any thoughts about this. President Phil Hynes stated he thinks Planning Commission Chairman David Taylor is correct in that Council does not have any authority with that.
- C. **Police Commission Update**
1. **Executive Session – Personnel** – President Phil Hynes stated for the Police Commission update, we will have to have an executive session for a personnel matter on that. President Phil Hynes stated he thinks we will save that for the end of the meeting, but he does think there will be action taken.
- D. **Complaints about Grass on Streets** – Mayor Richard Beck stated he has had several complaints about grass being blown out into the streets, and he and Police Chief Vince Markle cannot find anything for sure in our ordinances, or if there is an ordinance or not. Manager Dana Rooney stated she thinks there is, and she will look into this, and follow up with Solicitor Jim Dennison too.

#### **ELECTED OFFICIAL COMMENTS:**

- A. **Mayor Richard Beck** – Mayor Richard Beck thanked the Brookville Police Department and the Brookville Volunteer Fire Company for last night. Mayor Richard Beck stated they drove by quite often, and it does make a difference.
- B. **Member Sarah Gallagher** – Member Sarah Gallagher thanked the Brookville Police Department and the Brookville Volunteer Fire Company for making Halloween wonderful. Member Sarah Gallagher thanked Manager Dana Rooney for everything that she does. Member Sarah Gallagher stated Manager Dana Rooney does a lot behind the scenes, and she did not realize how much she did. Member Sarah Gallagher thanked the Budget Committee for doing so much work and a great job on the budget.
- C. **Member David Taylor** – Member David Taylor stated for the record, he had absolutely nothing to add.
- D. **Member Lucy Ames** – Member Lucy Ames stated she would like to echo what has already been said, and thanked the Brookville Police Department and the Brookville Volunteer Fire Company for taking good care of the

kiddoes for Halloween. Member Lucy Ames thanked Public Works Director Jonathan Rhoades for the streets - they are getting done.

- E. **Second Vice-President Randy Bartley** – Second Vice-President Randy Bartley jokingly stated he would like Mayor Richard Beck and Police Chief Vince Markle to launch an official investigation into why South Pickering Street does not get as many trick-or-treaters as Northside. Second Vice-President Randy Bartley stated it is not fair.
- F. **Vice-President Karen Allgeier** - Vice-President Karen Allgeier thanked Police Chief Vince Markle and Fire Chief Chris Henry, and stated last night was fun. Vice-President Karen Allgeier stated there are some events coming up including Eggs and Issues, which the Brookville Area Chamber of Commerce is hosting, this Friday at 7:30 A.M. at Fusion Café, and it is ten dollars per person. Vice-President Karen Allgeier stated the Pumpkin Roll is this weekend on Sunday at 1:00 P.M. at the top of Pickering Street. Second Vice-President Randy Bartley stated he would like to remind his fellow veterans about the Veterans Day observance on November 11<sup>th</sup> at the courthouse at 11:00 A.M. Vice-President Karen Allgeier stated she hopes everybody has a great Thanksgiving.
- G. **President Phil Hynes** - President Phil Hynes stated in regards to the budget, he would like to thank all the department heads because they all have a wish list of things they want, and we tried really hard to not have a tax increase, especially with the economic times, so they did forego a lot of things on their wish list, and that helped us out too. President Phil Hynes wished everyone a Happy Thanksgiving.

#### **EXECUTIVE SESSION:**

Brookville Borough Council entered an executive session at 7:35 P.M. to discuss a personnel matter with action expected. Executive session ended at 7:48 P.M. with the following action taken:

Member Lucy Ames made a motion from the Personnel Committee effective immediately to hire Kyle Zents to be our next police officer; seconded by Vice-President Karen Allgeier. Motion carried 6-0.

#### **MEDIA COMMENTS/QUESTIONS/CLARIFICATION:**

President Phil Hynes asked the media if they had any questions.

- A. **Reporter Alex Nelson – American Rescue Funds** – Reporter Alex Nelson asked if the amount of \$396,800.98 for the American Rescue Funds was for one allocation or the total amount. Manager Dana Rooney stated it is close to our full amount. Manager Dana Rooney stated that is the total of the original amount, but apparently some municipalities refused to do the paperwork required to get this free money, so they took the money that was never claimed and redistributed it to all the people who had filled out the paperwork. Manager Dana Rooney stated so we got maybe one thousand dollars more. Reporter Alex Nelson asked if all the projects the Borough wanted to use the money for had to be listed in the paperwork. Manager Dana Rooney stated no, with the new regulations, they opened it up, and

since the amount we received falls below a certain amount, we can claim that as lost revenue because of COVID, and now there are very few restrictions on what you must do with that money.

**ADJOURNMENT:**

Vice-President Karen Allgeier moved to adjourn; seconded by Second Vice-President Randy Bartley. Motion carried 6-0 at 7:53 P.M.

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Borough Manager