

The Regular Meeting of the Donora Borough Council was held on April 11, 2024 at 6:00 P.M. in the Council Chambers of the Donora Municipal Complex. The meeting was called to order by Council President Cynthia Brice and following the Pledge of Allegiance, the following members were present: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson. Also present were: Mayor Donald Pavelko, Street Department Dean Fronzaglio, Fire Chief Patsy Vince, Code Enforcement Officer Joseph Volpe, Chief Neal Rands, Borough Solicitor Steven Toprani and Borough Administrator Michael Thornton.

### **Opening of Bids**

#### **Public Address of Agenda Items**

Mon Valley Sewage Authority – Steve Walko, Chairman: I am here today on behalf of the MVSA to discuss the upcoming vote regarding our building permit, plan review, and inspection fees associated with our project. We are here to ask that you consider the negative ramifications to our rate payers and your tax payers. In order to serve on the board for the MVSA, I had to deliver a letter of interest and then it was put to a vote by council. That is because council and the MVSA share the same interests and that is to ensure we are doing our best to not relay every cost onto our customers and your tax payers.

We share a mutually beneficial relationship as we collect a \$5.00 line usage fee and a \$15.00 debt service payment for the Borough of Donora every month and in turn cut a check for a percentage of that and issue it to each borough to assist with any sewer related issues and to help offset fiscal difficulties that plague small communities as our own.

We are not a privately owned entity for profit. We are a public authority maintained by both the Borough of Donora and the City of Monessen who appoint our board members to ensure we represent the best interest of each community.

We are not asking for relief in paying the \$135,000.00 building permit fee, we are simply asking that the cost of the plan review and inspections be included in that fee. Based on the fee schedule of the Commonwealth of PA Dept. of Labor and Industry, the Borough of Donora still stans to make \$95,000.00 to \$100,000.00 even if they were to pay for the plan review and inspection fees and not further burdening our rate payers and your tax payers, since they are one in the same. Decisions made here today could have negative financial impacts not only to the residents of Donora but also to the rate payers and citizens of Monessen. We hope that you will see that it is not unethical to make these decisions as it will impact your citizens, not a private, for-profit company.

Mayor Pavelko: I have been a part of the Borough Council for over 20 years. The prior representatives went out of their way to help the borough on many projects. The Mayor feels that because we would be cutting MVSA a break, it's not taking money away from the tax payers. It's giving the tax payers another way of saving money. Mayor Pavelko is in favor of what the sewage authority is asking.

### **Minutes**

Mr. Perrotta requested a motion to approve the March 14, 2024 meeting minutes. Second by Mr. Brice. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (7): Nays: (0) Absent: (0) Abstain: (0) Motion carried.

#### **Presentation:** MS-4 Education by Mr. Thornton and Mr. Fronzaglio

Mr. Thornton explained the separation of sewage and storm water runoff.

Mr. Fronzaglio explained the importance of keeping the sewers free of pet waste.

## **Finance**

Mrs. Pavelko read aloud the Payroll Report for the month of March 2024 - \$88,543.53.

Mrs. Pavelko read aloud the Treasurers Report for the month of March 2024 - \$1,414,698.09.

Mrs. Pavelko made a motion to accept the Payroll Report and Treasurer's Report for the month of March 2024 as read. Second by Mr. Berestecky. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (7) Nays: (0) Absent: (0) Abstain: (0) Motion carried.

Mrs. Pavelko read aloud the Bill Report for the month of March 2024 - \$764,369.19

Mrs. Pavelko made a motion to accept the Bill Report for the month of March 2024 as read. Second by Mr. Perrotta. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (7) Nays: (0) Absent: (0) Abstain: (0) Motion carried.

No report received from the Tax Collector.

Mrs. Pavelko made a motion to approve rescinding of a prior vote from the March 14, 2024 council meeting regarding the borough paying a \$30,088.10 inspections and review fee to be charged by MCS for performing said inspections and reviews; with council members now fully informed the \$30,088.10 fee is the responsibility of the MVSA for their new construction project. Second by Mr. Brice. A vote was taken to the call of roll: Ayes: Mrs. Brice, Mr. Brice, Mrs. Pavelko, and Mr. Thompson (4) Nays: Mr. Berestecky, Mr. McDowell, Mr. Perrotta (3) Absent: (0) Abstain: (0) Motion carried.

Solicitor Toprani: For the record, this matter was discussed at considerable length at the workshop. Council President, this office and Mr. Thornton received information from PA Boroughs Association recommending that we not pay this fee.

Mr. Thompson question: At the time of the March 14, 2024 meeting, he was under the impression that it was the borough's bill. He said that at that time, he was on the board for the sewage authority and had he been fully aware, he would've abstained from voting. Solicitor Toprani stated that he does not see any conflict of interest and there is no personal benefit to Mr. Thompson. The fact Mr. Thompson stated that he was a former board member and he had confusion about his initial vote, Solicitor Toprani said there was no ethics violation and nothing improper about his vote.

Mayor Pavelko question: The borough established the Authority with the City of Monessen. How is that not part of the borough? Solicitor Toprani responded that the Authority was established in 1966 and the board members serve independently of their respective councils.

Mr. Perrotta stated according to Robert's Rules of Order, 2/3 vote is required for the rescinding or overturning of a previous motion that was made. Solicitor Toprani said that his understanding is majority rules. Mrs. Brice stated that Robert's Rules is not the law.

Mr. Brice stated that not long ago there was an ethics issue due to council paying someone else's bill. He will not be a part of it.

Mrs. Pavelko made a motion to approve the Mon Valley Sewage Authority to pay the \$30,088.10 inspections and review fees associated with their construction project to Donora Borough for payment to MCS for performing said inspections and reviews. Second by Mr. Brice. A vote was taken to the call of roll: Ayes: Mrs. Brice, Mr. Brice, Mrs. Pavelko, and Mr. Thompson (4) Nays: Mr. Berestecky, Mr. McDowell, Mr. Perrotta (3) Absent: (0) Abstain: (0) Motion carried.

### **Health, Sanitation and Code Enforcement**

Mr. Perrotta read aloud the following reports for the month of March 2024:

Building Permit Report – 2 permits/\$49.00 – construction cost \$4,000.00 (Mar)  
One permit applicant (Cooper Electric) still owes permit fees to the borough  
YTD: 2 permits/\$49 – construction cost \$4,000.00

Registration Fee Report - \$6,010.00 (Mar) / \$15,920.00 (YTD)

Rental Inspection Report - \$1,940.00 (Mar) / \$2,840.00 (YTD)

Occupancy Report - \$150.00 (Mar) / \$1,150.00 (YTD)

Sanitation Report - \$130,464.03 (Mar) / \$279,938.72 (YTD)

Delinquent Sanitation Fees - \$349.28 (Mar) / \$1,037.43 (YTD)

Fines Collected - \$2,494.03

Street Opening – 1 (Mar) / 21 (YTD)

Total Street Opening fees: \$250.00 (Mar) / \$5,250.00 (YTD).

Mr. Perrotta has an issue with street openings and the amount of money being collected. He said that there are more than one street opening that has occurred in March and that there are road closings and street openings daily in the borough. He asked Mr. Volpe and Mr. Fronzaglio to get together and figure this out.

Building Permit Data from 2022-2023:

2022: 13 permits issued, construction cost \$2,306,253.00. The borough fees should have been \$23,179.53. The borough collected \$4,368.00. The borough failed to collect \$18,811.53.

2023: 16 permits issued, construction cost \$1,288,331.00. The borough fees should have been \$13,027.31. The borough collected \$0.00. The borough failed to collect \$13,027.31.

Combined: The borough fees should have been \$36,206.84. The borough failed to collect \$31,838.84.

Mrs. Brice stated that during that time we did not have a code enforcement officer. The borough contracted with a certain individual that was giving the borough a portion of the fees. After some time, he stopped giving the borough a portion.

Mr. Perrotta made a motion to authorize the Borough Solicitor to draft an ordinance pertaining to the use and regulations of administrative search warrants for compliance with borough ordinances. Second by Mr. Thompson. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mr. Brice, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: Mrs. Brice (1) Absent: (0) Abstain: (0) Motion carried.

Mrs. Brice feels the borough should not move forward until we have a certified code enforcement officer.

Mrs. Pavelko asked if we could add a third set of checks and balances by adding council vote to also authorize this.

Solicitor Toprani cautiously suggests council do not get involved regarding the judicial process. There are not only legalities involved, but there are dangers involved. Dangers to the individuals serving the warrants and also danger of the borough losing their insurance.

Mr. Brice agrees we need a way to avoid Washington. There was a problem up on Meade Street. She was found guilty on 24 citations and is on a payment plan. He feels that when the weather breaks, we will have the same problem with roaches. He asked if we can start citing her now, but Mr. Volpe said no because he has no evidence of roaches currently.

Mr. Thompson hopes that when the ordinance is written, the I's are dotted and the T's are crossed.

Mr. Perrotta made a motion to authorize the requirement for an asbestos survey to be performed on all residential structures scheduled to be demolished. This would include borough owned and privately owned properties. Second by Mr. Berestecky. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (5) Nays: Mrs. Brice and Mr. Brice (2) Absent: (0) Abstain: (0) Motion carried.

Mr. Perrotta made a motion to authorize Borough Solicitor to draft two separate ordinances: one pertaining to the placement and location of PODS, and one pertaining to the placement and location of dumpsters. Second by Mr. Berestecky. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (7) Nays: (0) Absent: (0) Abstain: (0) Motion carried.

### **Recreation**

Mr. Berestecky read aloud the Palmer Park Report for the month of March 2024.  
\$3,050.00 (Mar) / \$5,800.00 (YTD)

### **Community Affairs and Municipal Building**

Mr. McDowell read aloud the Banquet Hall Report for the month of March 2024.  
\$0.00 (Mar) / \$600.00 (YTD)

### **Highways and Streets**

Mr. Thompson made a motion to approve a handicap parking request for 138 Bertha Avenue. Second by Mr. Perrotta. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mr. McDowell, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (7) Nays: (0) Absent: (0) Abstain: (0) Motion carried.

### **Public Safety**

Mr. Brice read aloud the police report for the month of March 2024.

Complaints Answered:	371
Ambulance Assists:	10
Accident Investigations:	7
Burglar Alarms:	9
Lock Outs:	2
Total Complaints:	371
Total Offenses Reported:	45
Total Arrests:	18
Mileage Report:	2,630
Financial Report:	
Overtime:	\$6,030.02 (Mar) / \$17,347.19 (YTD)
Court Time:	\$507.72 (Mar) / \$1,477.67 (YTD)
Total Revenue Received:	\$1,891.09 (Mar) / \$4,526.05 (YTD)

**President of Council:** List of items council has discussed needing improvements

Building: Clean, Office, Police Station, Public Restrooms, Council Chambers  
 Streets: Paving-gas company, trucks, sign replacement, Third Street bridge  
 Finance: Budget, Washington County, Grants (Mon Valley Alliance)  
 Parks: 7<sup>th</sup> Street, 9<sup>th</sup> Street, Gilmore  
 Code: Joe's certifications, blight, McKean Ave, Meldon Ave, Thompson Ave  
 Public Safety: Police Officers

**Mayor:** Mayor Pavelko asked Solicitor Toprani if he had a chance to review the ordinance regarding the firefighter's tax forgiveness.

**Public Officials**

**Mr. Toprani:** No report.

**Mr. Rands:** No report.

**Mr. Fronzaglio:** Ordered signs (Do Not Enter and One Way)  
 Please call 724-379-6600 if there is a sign that is faded and unreadable.

**Mr. Vince:** Absent.

**Mr. Joe Volpe:** For the month of March 2024, 18 notices of violation were issued, 7 of which were cleared, 6 are being cited. Vacation scheduled 4/15-4/19/24.

**Old Business****New Business**

Washington County Commissioners were here last week and they presented the AP Delsandro Memorial Fund a check for \$119,000.00.

The Redevelopment Authority will be able to take applications for home rehabilitation.

Mr. Thompson asked to please advertise the open Sewage Authority position in the newspaper.

Lisa Black, who owns the tattoo shop, asked if she could put some flowers outside of a nearby borough owned building, to make her business look better.

**Non-Agenda Items**

Mrs. Pavelko made a motion to adjourn. Second by Mr. Perrotta.

**ADJOURNMENT: 6:55 PM**