

**JANUARY 6, 2020 6:30 PM**

**REGULAR MEETING OF SWOYERSVILLE BOROUGH COUNCIL**

Mayor Concert calls the meeting to order.

The Pledge of Allegiance was recited.

Mayor Concert requested a moment of silence for Officer Andrew Jones.

Roll Call was taken, those present included Mr. Christian, Mr. Brown, Mayor Concert, Mr. Keating, Mr. Olejnick and Mr. Cwalina. Also present were Gene Breznay, Borough Manager, Attorney Yeager, Borough Solicitor and Mike Amato, Penn Eastern Engineering. Mr. Alunni, Mike Galanda, Zoning Officer and Jeff Zupko, Street Commissioner were noted as absent.

Mayor Concert requested a nomination for Council President. A nomination was made for Mr. Keating. Vote was 4-0 in favor with Mr. Keating abstaining from the vote. Mayor Concert requested a nomination for Council Vice President. A nomination was made for Mr. Olejnick. Vote was 3-2 in favor with Mayor Concert presenting a yes vote and Mr. Keating abstaining from the vote.

A motion was made by Mr. Keating to accept the minutes from the December 2, 2019 meeting and seconded by Mr. Olejnick. Vote was 4-0 in favor with Mr. Brown abstaining from the vote as he was not present at the meeting.

Monthly bills totaling \$30,490.64 were presented by Ms. O'Donnell and were paid on a motion made by Mr. Christian and seconded by Mr. Brown. The vote was 5-0 in favor.

**BOROUGH COORDINATOR REPORT**

- Mr. Breznay presented the following resolutions for approval:

1. The member contribution for the Police Pension Plan to be set at 3%. A motion was made to approve by Mr. Brown and seconded by Mr. Olejnick. Vote was 4-0 in favor with Mr. Christian abstaining from the vote.

2. Swoyersville Borough is a member of the West Side Council of Governments and every two years Council appoints 2 representatives (1 primary & 1 alternating) who will service as voting representatives for Swoyersville Borough. A motion was requested to appoint Mr. Cwalina as primary and Mr. Olejnick as alternating. Motion was made by Mr. Brown and seconded by Mr. Christian. Vote was 5-0 in favor.

3. An ordinance was presented setting the hour, place and date of regular council meetings as the 1<sup>st</sup> Monday of each month at 6:30 pm. If the meeting falls on a Holiday, the meeting will be held on the Tuesday following at 6:30 pm. A motion was made for approval by Mr. Olejnick and seconded by Mr. Christian. Vote was 5-0 in favor.

4. An ordinance was presented setting the compensation of certain employees and elected officials. Mr. Christian requested to view the document. A motion to approve was made by Mr. Brown and seconded by Mr. Olejnick. Vote was 4-0 with Mr. Christian abstaining from the vote.

- Mr. Breznay presented to council a Performance Grant received for recycling efforts in 2018. The DEP awarded the Borough for performance efforts with a grant totaling \$3,015.00. The funds will be placed into the refuse fund.

- A letter was sent to Mr. Cartwright regarding the storm water fee. Assistance was requested in trying to alleviate the fees involved & the recent article sharing that the Rain Tax is not mandated was included. The Borough is asking to get together to discuss the issue and come up with something that will assist Swoyersville residents.

- The Casino Grants were submitted formally after last month's Council meeting. The grants will be used for the purchase of 2 police cruisers and 1 backhoe. A meeting was held with Representative Kaufer and he is pushing for the Borough to receive funds for both purchases. A discussion was held with Senator Yudichak who also supports the effort. Notification of whether the Borough will receive the grants is expected in March or April.

- A letter of support was sent to Borton-Lawson regarding grant applications being submitted for the Storm Water Basin Retrospect Project. The project is applying for a \$2 million dollar grant that would be used to construct low flow channels through the basins, retro fitting the outflow structures, regrading to create a sediment capturing micro-pool, removal of invasive sediment, etc.

## COMMITTEE REPORTS

**Finance:** Mr. Brown presented the November 2019 Finance Report. **General Fund:** beginning checkbook balance: \$43,229.66; transfers & revenue for the month: \$139,882.22; Expenses & Transfers for the month: \$43,252.90; ending checkbook balance: \$139,858.98. **Liquid Fuels:** beginning checkbook balance: \$175.26; transfers and revenue for month: \$9,400.14; expenses and transfers for the month: \$9,543.15; ending checkbook balance: \$32.25. **Solid Waste Collection (Refuse):** beginning checkbook balance: \$16,049.38; transfers and revenue for the month: \$18,814.93; expenses and transfers for the month: \$7,595.35; ending checkbook balance: \$27,268.96. Sanitary/Storm Water Assessment: beginning checkbook balance: \$26,902.52; transfers and revenue for the month: \$1,845.27; expenses and transfers for the month: \$3,985.56; ending checkbook balance: \$24,762.23.

**Liaison Officer:** Mr. Christian presented a letter from the Planning Commission requesting approval of 2 separate subdivisions. The first subdivision involves Swoyersville Borough Avenue C. The second subdivision involves Luzerne National Bank, 675 Main Street Swoyersville. The Planning Commission approved both subdivisions at a meeting that occurred on 12/8/2019. A question was presented by Mr. Brown regarding details of both subdivisions. Mr. Amato, Penn Eastern Engineering, shared details of the Avenue C. Further details were not available for the Luzerne Bank. A motion was requested for approval of both subdivisions. A motion was made by Mr. Christian and seconded by Mr. Keating. Vote was 4-1 in favor.

- Mr. Christian shared with Council that Mr. Galanda will be attending a class through the PA Construction Code Academy and has requested approval for the Borough to pay for the class and associated lodging involved. The cost should fall under \$1,000.00 with the class being \$450.00. A motion was made by Mr. Christian and seconded by Mr. Brown. Vote was 5-0 in favor of covering costs.

**Street Department:** Mr. Olejnick – No report.

**Police Department:** Mr. Keating read the police report for December 2019 which included a breakdown of hours for Crossing Guards. There was a total of 130 service calls and 7 vehicle accidents reported. Fees collected totaled \$501.62. A motion was made to place monies in the appropriate fund by Mr. Keating and was seconded by Mr. Olejnick. Vote was 5-0 in favor.

**Fire Department:** Mr. Cwalina – There were a total of 47 ambulance calls for the month with a total calls for the year being 533. Because of the volume of calls for Swoyersville, it was reported that a 7<sup>th</sup> person has been added from 9-5pm. Subscription mailers have been mailed. Mr. Cwalina shared that he will be serving as Vice President for the West Side COG.

**Mayor Concert:** Mayor Concert welcomed Shawn Brown as a new member of Council. It was noted that new and returning council members were sworn in at an earlier ceremony by Magistrate Andrew Barilla.

- Mayor Concert requested consideration of a dumpster ordinance that will require a \$25.00 permit for residents to place dumpsters on the streets in Swoyersville. Mr. Galanda is reviewing the request. A proposed ordinance will be presented at the next meeting for approval.

- Swoyersville was awarded a recycling grant for \$22,887.00 which will be used to purchase approximately 3,000 recycling bins and cover the cost for 2 years of handouts that are provided to residents.

- The Police Department building needs repairs. The flooring needs to be replaced along with there being a need for painting. A motion was requested to accept bids for both flooring and painting work needed. A motion was made by Mr. Olejnick and seconded by Mr. Cwalina. The vote was 5-0 in favor.

- Mayor Concert shared the need for a code enforcement involving landlord registration & occupancy forms/permits in Swoyersville. Inspections would also be included. Attorney Yeager will review the issue further.

- A letter from the family of Andrew (AJ) Jones was presented and read. The family extended a thank you for all those who provided support to their family during their time of difficulty. Mayor Concert did share that all Patrol Cars now have a decal in memory of AJ Jones.

- A letter was submitted by Chief Castner regarding 2 applications submitted for part time patrolman positions. Background checks will be completed prior to hiring and interviews have been conducted. Chief Castner would like to hire D. Sorensen and E. Bartos to fill the two part time positions. A motion was made by Mr. Brown and seconded by Mr. Christian. Vote was 5-0 in favor. In addition, Chief Castner would like Council to consider filling the full-time vacancy that currently exists within the Police Department. The recent Civil Service candidate list is valid, and a request is made for the position to be offered to the next candidate on the list. Mr. Christian recommended that the next candidate be served with an offer in person. If the candidate is not interested, Chief Castner is requesting to expunge the list and Civil Service Commission approve a new testing process to obtain a certified list of new candidates. A motion was made Mr. Brown and seconded by Mr. Christian. Vote was 5-0 in favor.

**Attorney Yeager:** No report.

**Old & New Business:** Mr. Christian: Birch Street residents are concerned with excessive buildup of water at the end of the street. Mr. Olejnick shared the issue will be looked at.

- Mr. Christian recommended again to Council that a physical fitness test be considered a requirement prior to hiring new Police Department applicants to make sure that they are fit to service the job. Mr. John Menta shared that the department has never required a physical fitness prior to hiring. There is a 90 day probationary period where physical fitness is tested. He does not see any advantage to requiring a test prior to hiring; however, will take the recommendation under consideration.

- Mr. Menta acknowledged the Council meeting attendance by several students and feels it should be recognized. Mr. Cwalina shared that students from Wyoming Valley West attend as part of a class requirement. Mr. Cwalina will meet often with students afterwards who are provided an opportunity for questions.

## MEETING OPENED TO THE PUBLIC

- Tony Zambito, Jackson Street: Mr. Zambito questioned the absence of Mr. Alunni and questioned the status of his place on Council. He feels that if a member of Council is unable to fill the seat that they should step down. Council shared that Mr. Alunni is ill; however, planning on returning.

Mr. Zambito shared information regarding the No Rain Tax group has established a non-profit organization which will enable them to more effectively push back against the tax mandate. The non-profit organization is known as Tax Payor Power and their website is [www.taxpayor.com](http://www.taxpayor.com).

A motion to adjourn was made by Mr. Keating and seconded by Mr. Cwalina. Vote was 5-0 in favor. Meeting was adjourned at 7:15 pm. Next meeting will be held on February 3, 2010 at 6:30 pm.



Barb O'Donnell  
Borough Council Secretary

William Keating  
Council President