

August 3, 6:30 PM

REGULAR MEETING OF SWOYERSVILLE BOROUGH COUNCIL

Council President Keating calls the meeting to order.

A moment of silence was held acknowledging the recent passing of Honorable Andrew Barilla, Jr. and Ed Mizenko (Crossing Guard)

The Pledge of Allegiance was recited.

Roll Call was taken, those present included Mr. Brown, Mr. Christian, Mr. Cwalina, Mr. Menta, Mr. Olejnick and Mr. Keating. Also noted as present were Mayor Concert, Attorney Yeager, Borough Solicitor and Gene Breznay, Borough Manager.

A motion was requested by Mr. Keating to accept the minutes from the July 14, 2020 meeting. A motion was made by Mr. Cwalina and seconded by Mr. Menta. Vote was 5-0 in favor with Mr. Olejnick abstaining from the vote.

Monthly bills totaling \$27,525.89 were presented by Ms. O'Donnell, Council Secretary. A motion for approval of the monthly bills was made by Mr. Cwalina and seconded by Mr. Olejnick. Vote was 6-0 in favor.

BOROUGH COORDINATOR REPORT

- Mr. Breznay shared that the 3,000 recycling containers have been delivered to all streets within the Borough. Containers were delivered to all residents who purchased a recycling sticker.
- Mr. Breznay informed Council that the 2020 Community Development Block Grant (CDBG) of \$150,000 for the Borough includes a Co-Op agreement between Swoyersville and Luzerne County that needs to be approved & signed. Mr. Breznay requested a motion to enter into the agreement with Luzerne County who will administer the monies for the road project. Those submitted for consideration include Maltby, Laverick, Bohac, Talcott and Bigelow. Brook Street is not included with this agreement.
- Mr. Breznay shared information received in an email from Berkheimer Associates regarding Earned Income Tax for the Borough. With the pandemic and unemployment Berkheimer has estimated that the borough should see a reduction of approximately \$10,000 a month. As a result of this input, Mr. Breznay conducting an analysis of Swoyersville collections through July 2020 to see how the Borough ranked in comparison to prior years. Mr. Breznay reported that for 2020 YTD through July, there was a total of \$350,373.00 Earned Income Tax collected. 2019 (for same timeframe) revealed a total of \$321,454.00 collected; 2018 - \$318,683.00 and 2017 - \$314,106.00. With this comparison, it appears that Swoyersville is on target & actually ahead with Earn Income Tax Collection. Mr. Breznay will continue to monitor to see how August and the rest of the year progresses.

COMMITTEE REPORTS

Finance: Mr. Brown presented the June Finance Report. **General Fund:** beginning checkbook balance: \$122,673.64; transfers & revenue for the month: \$72,677.96; Expenses & Transfers for the month: \$175,555.21; ending checkbook balance: \$19,796.39. **Liquid Fuels:** beginning checkbook balance: \$174.66; transfers and revenue for month: \$9,700.19; expenses and transfers for the month: \$9,642.84; ending checkbook balance: \$232.01. **Solid Waste Collection:** beginning checkbook balance: \$36,621.58; transfers and revenue for the month: \$25,241.55; expenses and transfers for the month: \$39,979.88; ending checkbook balance: \$21,883.25. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$1457.95; transfers and revenue for the month: \$4,012.79; expenses and transfers for the month: \$2,698.43; ending checkbook balance: \$2,772.31.

Liaison Officer: No Report.

Street Department: Mr. Olejnick presented a request from Jeff Zupko, Street Department Supervisor, to advertise for 2 full-time temporary employees to enable to department to support the workload in the absence of 2 injured employees. A motion was made by Mr. Olejnick to hire 2 "temporary" full time employees at a rate of \$10.00 per hour and seconded by Mr. Cwalina. Vote was 6-0 in favor.

-Mr. Olejnick presented an inquiry on behalf of Jeff Zupko, Street Department Supervisor regarding opting out of the uniform contract. Mr. Breznay informed the committee that the current contract states that opting out would need to occur 90 days prior to the end of the year. Issue was tabled until September where the issue of ending the contract can be presented.

-Mr. Olejnick presented input on behalf of Mike Amato, PennEastern Engineering, regarding the issue at the end of Birch Street. The preliminary work has been completed. The remainder of the project will piggyback with grant funds.

Police Department: Mr. Menta read the police report for July 2020. There was a total of 153 service calls and 4 vehicle accidents reported. Fees collected totaled \$465.15. A motion was made to place monies in the appropriate fund by Mr. Menta and was seconded by Mr. Olejnick. Vote was 6-0 in favor.

Fire Department: No Report.

Mayor Concert: Mayor Concert shared that Swoyersville would conduct its second community yard sale on Saturday, August 22, 2020, 8am to 2pm. Community members interested can send an email with their address to the Mayor to be placed on the list.

-On Saturday, August 1, 2020 the mayor issued a proclamation recognizing & honoring the Valley with a Heart Benefits for a 20 years of service to Swoyersville Borough and to Luzerne County.

-Luzerne County Redevelopment Authority did respond to a letter sent by Mike Galanda, Zoning Officer, that threatened fines if the borough railroad grounds were not cleaned up. There was a response that work will be started. Mike Galanda will stay on top of the issue and report progress.

-The Honorable Andrew Barilla Jr. Park on Slocum Street will have a new sign put up. The sign is being paid for by State Representative Arron Kaufer. The Council thanks him for that donation.

-For those donating aluminum cans, there is now close to 2,000 pounds of aluminum cans. A thank you has been extended to Ellen Lewis who has been working hard with us on the project and we received the first set of children's books. An additional three sets will be ordered.

-Mayor Concert questioned if the approved swing sets were ordered. Mr. Breznay provided Council with an update. Price research revealed that each swing set would cost \$3,000 apiece and a handicap swing set is \$3,000 plus. In addition, playground mulch is required with the placement of swing sets and the last purchase made by the Borough was up to \$10,000. With the earlier review of the Earned Income Tax uncertainty through the rest of the year and current uncertain times, Mr. Breznay shared that the purchase will need to wait for a few months.

Attorney Yeager: Attorney Yeager presented a proposed ordinance that was provided to all Municipality Solicitors. The proposed ordinance would involve Swoyersville Borough and the Luzerne County DUI Task Force. It would support the Swoyersville Police Department working in conjunction with the Luzerne County Task Force making DUI and drug related offenses easier and more effectively prosecuted. It will also allow police to cross lines between boroughs/municipalities to arrest in the event of fleeing/eluding. Attorney Yeager requested Council to entertain a motion to approve the reading of the ordinance and publicize with approval of the ordinance occurring at the Council's next regular meeting. A motion was made by Mr. Menta and seconded by Mr. Olejnick. Vote was 6-0 in favor.

Old & New Business:

-Mr. Christian requested a follow up from the Police Department on the issue of placing stop signs at Kossack & Jay Streets and Church Street & Avenue B. Kyle Kastner, Swoyersville Chief of Police, presented the following information: To move forward with placing a stop sign, an ordinance must be approved first. In addition, according to PennDot regulations/guidelines surrounding the placement of traffic control signs, a traffic & engineering study must occur which does involve a large cost to the Borough that may not be feasible at this time. Based on a personal review conducted by Chief Kastner, back through 2008 there has only been one accident that involved the intersection of Kossack and Jay. That accident was the most recent that has raised community concern. PennDot manual states that you cannot use a stop sign to enforce speed control. The incident at the intersection of Kossack and Jay involved a sight issue, not a speeding issue. Complaints received have involved not being able to see to the left when pulling out of Jay Street.

The Police Department suggests and advises Council that the best option to would be to place no parking signs between Jay and Sycamore. If parking is eliminated between two streets, there may be little to no issues as the sight issue will be eliminated. It was noted that even with placing a stop sign at the intersections, two parking spots would be removed.

In addition, the same guidelines regarding placement of a stop sign at Church Street & Avenue B would apply. Chief Kastner shared that an inspection of Church Street revealed only 2 speed limit signs for the entire length of the street. With speeding being the concern with Church Street, it is advised that additional speed limit signs be placed. In addition, speed lines can be placed at Church & Avenue B with increased police monitoring.

A motion was made by Mr. Cwalina for the placement of additional speed limit signs on Church Street along with speed lines placed at Church and Avenue B. Motion was seconded by Mr. Menta. Vote was 6-0 in favor.

A motion was made by Mr. Cwalina to place "No Parking" signs between Sycamore and Jay Street and was seconded by Mr. Menta. Vote was 6-0 in favor. An ordinance will be generated and presented at the next meeting for approval.

-Mr. Christian reported that he received a question regarding Crosswalk lines being placed at the school busstop at Sycamore and Kossack. In addition to "Crosswalk" lines, the issue of placing additional "Speed Limit" signs and "Slow" signage painted on road was discussed by Council. A motion was made by Mr. Brown to approve crosswalk lines at Sycamore & Kossack, placement of additional speed limit signs and painting of slow signage on Kossack. The motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

-Mr. Menta requested clarification on the issue of the approval made last month to extend the Face Period for Real Estate Taxes. To clarify, extending the period to the end of the year would only occur if Luzerne County moved to extend the deadline. Input was requested from county municipalities by Luzerne County as to whether they would agree or disagree with an extension. Swoyersville Council voted to approve the extension for the Borough only if Luzerne County moved to extend. If that would occur, a resolution would be required.

-Mr. Keating shared a letter regarding a fence installment issue that he received. Attorney Yeager noted that the grievance summarized is a civil issue and other than the parties addressing the original approval of the fence placement with the Zoning Officer, the issue is not something Council would get involved with.

MEETING OPENED TO THE PUBLIC

- Mr. Breznay shared a comment regarding the issue of quad traffic on Tripp street. Residents are concerned. Chief Kastner noted that there have also been complaints of cars going through the stop sign in that same area and the Police Department has spoken to several individuals and will continue to monitor that area. As far as quad riding on the street, there is a new policy that states that police will not chase a quad rider due to liability issues that surround possible crashes; however, if the rider stops, the police will discuss and can cite the rider. Police monitor continues.

-Mayor Concert requested an update on the Slocum Street road project. Residents are concerned with knowing when they will need to remove their cars. Mr. Breznay shared that it is a state project and no parking signs will be posted when work is about to begin.

-Mark Nemichak, 77 Brook Street requested that since Brook Street is not scheduled to be paved, can someone assist with fixing areas of concern on the street. Council shared that Jeff Zupko, Street Department Supervisor will get down to Brook St. to evaluate the issues.

-Mayor Concert requested that the crosswalks near the Tripp Street Park be repainted as the road has been paved. Jeff Zupko, Street Department Supervisor will be notified of the request.

-Patty Ann, Brown Street, commented that Brown street is still overgrown. It was noted that Mike Galanda was down to evaluate the issue and it is being addressed.

-Mr. Menta shared a suggestion with Council that residents should be able to submit questions prior to the meeting by calling the Borough. Council agreed and Mr. Keating encouraged residents to call in a question prior to the meeting and they would be read at the meeting.

A motion to adjourn was made by Mr. Cwalina and seconded by Mr. Olejnick. Vote was 6-0 in favor. Meeting was adjourned at 07:20 pm. Next meeting will be held on Tuesday, September 8, 2020 at 6:30 pm.

Barb O'Donnell
Borough Council Secretary

William Keating
Council President