

June 7, 2021, 6:30 PM

REGULAR MEETING OF SWOYERSVILLE BOROUGH COUNCIL

Council President Keating calls the meeting to order.

The Pledge of Allegiance was recited.

A moment of silence was held in memory of Gary Richards, Swoyersville's Wyoming Valley School Board representative.

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; Gene Breznay, Borough Manager and Rob Koval, Street Department. Attorney Yeager, Borough Solicitor was absent.

A motion was requested by Mr. Keating to accept the minutes from the May 4, 2021 meeting. A motion was made by Mr. Olejnick and seconded by Mr. Brown. Vote was 5-0 in favor with Mr. Cwalina abstaining from the vote.

Monthly bills totaling \$29,479.57 were presented by Ms. O'Donnell, Council Secretary. A motion for approval of the monthly bills was made by Mr. Brown and seconded by Mr. Christian. Vote was 6-0 in favor.

BOROUGH COORDINATOR REPORT

- Mr. Breznay reported that with the grant money received for the paving project, the Borough was short approximately \$100,000.00. A letter was sent to Community Development requesting eligibility for the remaining funds due which was approved. Swoyersville Borough will receive an additional \$98,835.00 for the paving project. Council Members thanked Mr. Breznay for the work done to obtain the additional funds for the Borough. The paving project is scheduled to start sometime in July - August 2021. The project will address curbs first, then milling and paving to include Shoemaker down to Hemlock Street.

- Mr. Breznay shared that a notification was received from the American Rescue Plan Act (Covid relief funds for towns). Based on population, Swoyersville qualified for \$524,288.08. There will be two installments received with limited uses noted. Limited uses include areas such as supporting public health expenditures, addressing negative impacts such as small businesses that shut down, help to support non-profit organizations that lost money during the pandemic, provide premium pay for essential workers who worked during the pandemic and invest in water/sewer infrastructures, etc. The Borough will be required to submit a report outlining how the funds have been used.

- Mr. Breznay shared that Christopher Pollick, who maintains the cleaning within the building, will be leaving effective June 27, 2021. The position will not be replaced.

COMMITTEE REPORTS

Finance: Mr. Brown presented the April 2021 Finance Report. **General Fund:** beginning checkbook balance: \$32,144.03; transfers & revenue for the month: \$181,449.80; Expenses & Transfers for the month: \$183,151.84; ending checkbook balance: \$30,441.99. **Liquid Fuels:** beginning checkbook balance: \$90.82; transfers and revenue for month: \$22,500.37; expenses and transfers for the month: \$22,441.17; ending checkbook balance: \$150.02. **Solid Waste Collection:** beginning checkbook balance: \$12,194.83; transfers and revenue for the month: \$26,299.31; expenses and transfers for the month: \$19,729.42; ending checkbook balance: \$18,764.72. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$6,083.73; transfers and revenue for the month: \$25,418.57; expenses and transfers for the month: \$22,772.66; ending checkbook balance: \$8,729.64.

Liaison Officer: Mr. Christian questioned if there were any applicants received for the Rec Board. Mr. Breznay shared that 5 applications were received. Mr. Christian shared that Mrs. Nixon (present at meeting) is also interested in a position on the board. Council agreed that the total number of members needed for the board was six (6). Applicants will be contacted to schedule an interview & background check.

- Mr. Christian shared that the dug outs are completed at Roosevelt Field. A thank you was extended to Mr. Usefara and all those involved with the project acknowledging that labor was provided free of charge for the Borough. It was noted that there was a higher cost acquired then previously presented. Mr. Romanchik shared that due to the cost of lumber increasing, the total cost of the project was \$1,965.80 (\$1,216.71 previously approved) resulting in an additional cost of \$749.09. A motion was made by Mr. Menta to approve the additional \$749.09 and seconded by Mr. Brown. The vote was 6-0 in favor. Funds will come out of the Rec Board. Mayor Concert extended a thank you to Mr. Christian for his involvement in this project.

Street Department: Mr. Olejnick made a motion to hire Anthony Hunter as a Street Department Laborer at \$15.00, pending a background check. The motion was seconded by Mr. Cwalina. Vote was 6-0 in favor.

Police Department: Mr. Menta read the police report for May 2021 which included a summary of Crossing Guard hours. There were a total 173 service calls, 6 vehicle accidents and 9 Borough ordinance violations. Fees collected totaled \$483.56. A motion was made by Mr. Menta to place monies in the appropriate fund and seconded by Mr. Brown. The vote was 6-0 in favor.

- Mr. Menta shared a letter of resignation received from full-time patrolman Andrew Labar. Mr. Labar's resignation will be effective June 11, 2021. Mr. Labar has requested to stay on as a part-time officer. Mr. Menta made a motion to accept Mr. Labar's resignation as a full-time officer and to approve Mr. Labar staying on as part-time. Motion was seconded by Mr. Cwalina. Vote was 6-0 in favor.

- Mr. Menta shared a letter of resignation received from full-time patrolman Richard Vaow. Mr. Vaow's resignation will be effective June 20, 2021. Mr. Vaow has requested to continue to serve Swoyersville Borough as a part-time officer. Mr. Menta made a motion to accept Mr. Vaow's resignation as a full-time officer and staying on as part-time. Motion was seconded by Mr. Cwalina. Vote was 5-1 in favor.

- Mr. Menta presented a letter on behalf of Chief Kyle Castner, asking that Borough Council approve the hiring of April Dulsky and Jennifer Alexander as part-time patrol officers to cover the vacant shifts left by the two resignations until the full-time testing process is completed. An in-depth background

investigation was conducted on each applicant. Mr. Menta made a motion to hire April Dulsky & Jennifer Alexander as part-time patrol officers. The motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

- Mr. Menta shared that a Civil Service test will be conducted on Saturday, June 12, 2021.

Fire Department: Mr. Cwalina reported that there were 53 ambulance calls for the month of May 2021. It was shared that 2 grants were received that will allow for things such as radio & engine repairs.

- Mr. Cwalina extended a personal thank you to all the First Responders, especially police, firefighters and ambulance who assisted with a fire involving his son's family. "Because of all the heroic efforts exhibited that day, I still have my grandchildren!"

- Mr. Christian brought forward a suggestion that Council get together with the fire departments and discuss the issue of part-time day drivers. Mr. Cwalina shared that he is working with Fire Chief Mahon to discuss what can be done regarding additional Monday-Friday day drivers. Mr. Christian offered his assistance in any way that may be needed.

Mayor Concert: - Mayor Concert shared the Annual Community Yard Sale was a success with 135 homes participating which is the largest to date.

- Mayor Concert shared that the "Mayor Concert's Polka on the Corner" featuring the John Stevens Polka Band was a success. A thank you was extended to the Police Department for those who assisted.

- Mayor Concert shared that Mike Galanda, Zoning Officer, will be sending a citation to the Luzerne County Redevelopment Authority. Entrances to Swoyersville have not been maintained by the Authority.

- Mayor Concert requested that someone look at the flooring at the building located at Roosevelt Field. The floor is separating and there is a concern that someone will get hurt. Mr. Olejnick will stop by and look at the issue.

- Mayor Concert shared that on Friday, June 11, 2021, starting at 6 pm, Dana Elementary will be hosting a 5th grade parade. The route was shared. Mayor Concert encouraged residents to come out and support them.

- Mayor Concert shared that the Honorable Andrew J. Barilla, Jr. sign will be installed shortly at the park. It is in the final stages of being printed.

- Mayor Concert shared that the annual Strawberry Social will be held this Sunday, June 13th from 1 pm to 3 pm at the Andrew Barilla Park on Slocum Street

Attorney Yeager: No report presented.

Old & New Business:

- Mr. Brown shared that Council received a letter from Wyoming Valley West asking Council to appoint a new School Board Member. Mr. Brown made a motion to appoint Janet Cussatt to the position of Board Member. Mr. Cwalina seconded the motion. Vote was 5-0 in favor with Mr. Christian abstaining from the vote. Janet Cussatt was congratulated by Council on her appointment.

- Mr. Brown shared that along with Mr. Christian, a visit was made to Steeple Chase to review the parking issue presented at last month's meeting. Mr. Brown recommended to amend the existing ordinance for parking to state "No Parking 250 Feet to Corner" on the northerly side towards the mailboxes. The road widens at that point and parking can occur without obstructing the roadway. Mr. Christian made a motion to amend the existing ordinance. The motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

- Mr. Brown recommended an amendment to the ordinance involving Jay Street (Southerly side) & Kossack Street). The amendment would be for "No Parking 80 Feet to Corner" (Jay Street corner heading towards the back road). Parking would be permitted beyond the 80 feet. 80 feet is ample space to allow those pulling out of Jay to see oncoming vehicles coming down Kossack and it will also allow parking space for residents who live there, including one resident who needs access to his garage that faces Kossack. A motion was made by Mr. Brown to approve the amendment and seconded by Mr. Cwalina. Vote was 6-0 in favor.

It is noted that Mr. Mark Nenichka, Zoning Board Chairman raised a concern as it was his understanding that the resident at 60 Jay Street requested being able to park in the proposed amended area so that he can access tools in his garage for his construction business. Mr. Nenichka shared that there is no variance in place for the property operating as a business so an amendment permitting parking that will allow access to the garage would be condoning a violation of the Swoyersville Borough Road Zoning Ordinance. Mr. Brown and Mr. Christian noted that the resident stores tools in his garage. There has been no evidence of a business being run out of the address. Input was received from residents attending the meeting along with Chief Kyle Castner reflecting the same. Mr. Nenichka can discuss the issue with the Zoning Officer if he feels the issue needs to be looked at further. Currently, the motion remains approved.

-Mr. Christian presented to Council a list of issues & concerns to include:

*There is a need for spraying at the Vaughn and Noyes Street catch basins. Mr. Breznay will follow up.

*Area of Bond Ave, near the townhouses, has overgrowth that needs to be cut. Rob Koval will add the request to the Street Department List.

*Pile of wood remains on Mountain Street. Chief Castner shared that it was addressed with the owner and a reasonable was given in which to move the wood. Mr. Christian asked that Chief Castner follow up on the status of issue.

*Trees located on Laverick Street need to be cut. Mr. Breznay will follow up.

*A request has been made by a resident of Park Avenue to have "SLOW" stenciled on the road. Rob Koval will add the request to the Street Department list. Mayor Concert also noted that cross walks need to be painted on Tripp Street.

*Mr. Christian suggested to Council that a plaque/sign be made dedicating the dug outs at Roosevelt Field to Mr. Usefara who dedicated his time to build the structures free of cost to the Borough. Mr. Romanchik added that the Swoyersville American Legion Baseball organization would pay for half the cost involved. Council agreed and Mr. Keating requested information regarding the cost once it is determined.

*Mr. Christian requested that the handicap parking request previously denied for a Diamond Street resident be referred to Attorney Yeager to inquire if a consideration could be made to amend the current Handicap Parking Ordinance allowing a handicap parking spot on the street as the resident's current driveway (which is closer to her home) is on a hill/slant. The resident's husband requires use of a wheelchair and or a walker and the hill/slant create great difficulty for her to assist him getting back and forth from the home to the driveway. Mr. Breznay will refer the issue to Attorney Yeager for review.

*A resident located at 114 Meadowbrook shared that there is a pothole at the end of their driveway that needs to be filled. Rob Koval will add the request to the Street Department list.

*330 Tener Street is noted to have grass/weeds that are growing out of control. It is noted that the resident had passed away. There are family members still involved with the home; however, not caring for the home or property. There is also a concern surrounding roofing shingles that are flying off the roof and hitting a next door neighbor's home. Mr. Brown suggested that Mike Galanda, Borough Zoning Officer & the Borough Engineer take a closer look at the issue & consider a structure inspection as there is concern regarding the overall condition of the building. Mr. Brown also suggested for now that the Street Department assist with cutting the weeds/grass & the cost involved with that be placed as a lien on the home. Once the property/building is evaluated, the issue will be referred to Attorney Yeager to see what the Borough's options are at that point.

*A resident has asked if there would be any interest in a Crime Watch group within the Borough. Mayor Concert shared that this was being considered; however, was put on hold due to the pandemic. Mayor Concert will schedule a meeting to further discuss the option.

*Residents of Steeple Chase have questioned the posting of signs on property that the Onyx App (shows property boundaries) only shows as being owned by Swoyersville Borough. Residents are concerned that there may signs posted by those who are not owners of the property. Mr. Christian recommended that the issue be referred to Attorney Yeager & that the mapping be reviewed. Mr. Breznay will follow up with Attorney Yeager.

*Mr. Christian questioned if there was an update regarding when Birch and Poland will be paved. Mr. Breznay will follow up as the only update received was that paving was to occur in May/June for Birch.

- Mayor Concert inquired if Kevin's Auto Repair Shop on Main Street has been considered for any of the Borough's truck repairs. He asked that the Street Department include Kevin's when considering a shop for repairs. Rob Koval will follow up as to what services they offer.

- Mr. Breznay shared that he spoke with the Sanitary Authority regarding the Borough's ponding basins & storm water projects. The Townsend basin project is currently out for bid with opening bids set for June 15, 2021. The Slocum Street basin project is currently with the engineer under design. Creek Street will follow next. The Dana Street project is currently under review as there are ownership issues that exist with Swoyersville Borough and The Redevelopment Authority each owning half. A start date for the projects is planned sometime this summer. Mr. Breznay will update Council as things move forward.

MEETING OPENED TO THE PUBLIC

- Mr. Rosser, 330 Slocum Street extended a thank you to Mayor Concert and the Polka Band for the “Polka on the Corner” event held. A concern was shared regarding the recent election process. He noted that when the voting ended, the postings were not left up for 24 hours as required in Ward #2. They were taken down at 2:20 on Wednesday. He feels his vote was not counted and as leaders of our Borough, he wants Council to know what was going on. He would like Council to look at why the postings were taken down at 2:20 on Wednesday. He also shared that the machines did not work when he was there to vote in the morning. Mr. Keating acknowledged his concerns and thanked Mr. Rosser for presenting them.

- Mayor Concert shared that he forwarded a letter to the Election Board asking that the Church not be used as a voting place as they were not allowing candidates to put up their election signs on voting day.

- Kathy Breznay, Church Street informed council that she spoke to Father Joe about the election signs. It was shared that the church previously had a bad experience where candidates did not remove the signs after voting was completed. It was noted that some signs were placed and left behind again with this election. Mr. Brown shared that other towns have an ordinance that contains rules regarding the removal of signs. He will get an example of the ordinance for Council to review & consider. Rob Koval questioned if the Street Department is allowed to pick up/remove signs now that election is over. Mr. Brown shared that it is ok.

- Jim Thomas, 70 Townsend Avenue, presented a concern regarding property measurements that were taken for a home being built next door to him. Should a surveyor be used? Mr. Christian shared that he & Mr. Brown are aware of the concern and will be speaking to Mr. Galanda, Borough Zoning Officer regarding what had been done so far with measurements and will get back to Mr. Thomas with an answer.

- Ryan Binkley, 21 Clinton Street - Mr. Binkley shared that there is still an issue with the work that was done on Dana Street. The recent rain has washed away what was repaired. Council was asked who can be contacted to follow up. Mr. Breznay will contact the Borough Engineer who can reach out to the Water Company regarding the issue. The Street Department will do a temporary fix for now.

-Mr. Christian requested an update on the status of the amended handicap parking ordinance that was approved at last month’s meeting. An amendment was approved allowing the ordinance to include the requirement of a placard card or a handicap license plate. Mr. Breznay will follow up with Attorney Yeager so that the amended ordinance can be presented at the next meeting for approval.

- Rob Koval, Street Department, requested that a letter be drafted and sent to Forty Fort Borough thanking them for the assistance provided to the Swoyersville Borough Street Department. Mr. Koval shared that the department is experiencing issues with residents not placing stickers on garbage bags. There are also residents who are placing multiple bags into a large container and only placing 1 sticker on the top bag and some who are placing only half a sticker. Mr. Koval asked for clarification on what to do when a resident has multiple bags but only stickers one. Council shared that the rule is each bag requires a sticker – one sticker for one bag of garbage. If needed, Council recommends that a picture is taken if the Street Department is receiving calls from residents claiming their bag was stickered when it was not.

- Mr. Koval provided an update regarding Street Department activities during the month of June. The high grass reported at the ponding basins has been addressed. There were also two catch basins repaired on North Lackawanna Avenue. The paving project can now move forward with a start date around June 26, 2021. The Street Department also placed some extra mulch around the "Welcome to Swoyersville" signs and around poles located on Dennison & Shoemaker with signs honoring local veterans in time for Memorial Day.

- Mayor Concert asked if the Street Department could trim the area around the Kiwanis sign at the beginning of Simpson Street. Mr. Koval will follow up.

- Frank Leonard, 296 Shoemaker Street: Mr. Leonard inquired about the status of filling the vacancies within the Street Department. Will a supervisor be hired? Council shared that they are in the process of interviewing & choosing a candidate for the Supervisor position & a full-time laborer was hired during this meeting. Mr. Leonard mentioned that Forty Fort is no longer assisting the department and he is concerned that there are only 3 guys working. With an additional employee hired this evening Council shared that they will hopefully get additional applicants. As of now, there are no more applications received. There are also summer help positions still available.

- Mr. Koval questioned if they should take down the mailbox that was placed at the front of the Borough Building. Mr. Breznay shared that it was placed during the pandemic; however, can now be removed with the building being open.

- Mr. Koval informed Council that he will be off from Thursday, June 10th to Wednesday, June 16th which will leave only two guys working. A request was made to reach out to Forty Fort to inquire if someone would be available to assist during the timeframe Mr. Koval will be away. Mr. Breznay will reach out and inquire.

- Mr. Christian mentioned the signs that are facing out. They need to be turned in. Mr. Koval will follow up.

A motion to adjourn was made by Mr. Olejnick and seconded by Mr. Menta. Vote was 6-0 in favor. Meeting was adjourned at 7:57pm. Next meeting will be held on June 7, 2021, at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

William Keating
Council President

JUNE 22, 2021, 6:30 PM
SPECIAL MEETING OF SWOYERSVILLE BOROUGH COUNCIL

Council President Keating calls the meeting to order.

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 and Attorney Yeager, Borough Solicitor. Mr. Breznay, Borough Manager was absent.

- Mr. Keating shared that the special meeting was being held for hiring and swearing in of two full-time police officers. A Civil Service Commission list has been provided to Council Members for review. In addition, interviews will be conducted with applicants for the Street Department position.

- A motion was made by Mr. Menta to hire April Dulsky as a full-time police officer for the Borough of Swoyersville and was seconded by Mr. Cwalina. Vote was 6-0 in favor. Mayor Concert administered the Oath of Office to Ms. Dulsky. Congratulations were extended by Mayor Concert and Council members.

- A motion was made by Mr. Menta to hire Jennifer Alexander as a full-time police officer for the Borough of Swoyersville and was seconded by Mr. Cwalina. Vote was 6-0 in favor. Mayor Concert administered the Oath of Office to Ms. Alexander. Congratulations were extended by Mayor Concert and Council members.

An Executive Session was called at 6:35 to conduct interviews for Street Department applicants. Executive Session ended at 7:20 pm.

A motion to adjourn was made by Mr. Keating and seconded by Mr. Menta. Vote was 6-0 in favor. Meeting adjourned at 7:22 pm.



Barb O'Donnell
Borough Council Secretary

William Keating
Council President