

August 8, 2021 6:30 PM

REGULAR 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 present were Mayor Concert and Attorney Yeager, Borough Solicitor. Gene Breznay, Borough Manager was noted as absent.

A motion was requested by Mr. Keating to accept the minutes from the regular July 6, 2021 meeting. A motion was made by Mr. Brown and seconded by Mr. Cwalina. Vote was 6-0 in favor. A motion was requested by Mr. Keating to accept the minutes from the July 20, 2021 Special Borough Council meeting. A motion was made by Mr. Brown and seconded by Mr. Cwalina. Vote was 6-0 in favor.

Monthly bills totaling \$18,426.17 were presented by Ms. O'Donnell, Council Secretary. A motion for approval of the monthly bills was made by Mr. Olejnick and seconded by Mr. Cwalina. Vote was 6-0 in favor.

An Executive Session was called at 6:36 pm and ended at 6:39 pm.

BOROUGH MANAGER'S REPORT

- Mr. Keating presented the Borough Manager's Report:

1. The paving project & end of Birch Drive drainage repair continues. Resurfacing and installation of handicapped ramps continues for Maltby Avenue, Bohac St., Laverick St. and Shoemaker St., (Main St. to just below Church St.)
2. Edward (Ned) Connolly is interested in joining the Recreation Board. A motion was made by Olejnick for Mr. Connolly to be added to the Recreation Board pending a successful background check. The motion was seconded by Cwalina. Vote was 6-0 in favor.
3. A letter was received from Swoyersville Kiwanis Club requesting Council to sponsor a hole for the Golf Tournament as they have in past years. A motion was made by Mr. Olejnick to sponsor a hole with a donation of \$150.00. The motion was seconded by Mr. Cwalina. The vote was 6-0 in favor.

COMMITTEE REPORTS

Finance: Mr. Brown presented the June 2021 Finance Report. **General Fund:** beginning checkbook balance: \$147,846.19; transfers & revenue for the month: \$76,990.02; Expenses & Transfers for the month: \$176,250.60; ending checkbook balance: \$48,585.61. **Liquid Fuels:** beginning checkbook balance: \$78.12; transfers and revenue for month: \$21,100.32; expenses and transfers for the month: \$21,032.26; ending checkbook balance: \$146.18. **Solid Waste Collection:** beginning checkbook balance: \$19,359.51; transfers and revenue for the month: \$24,986.19; expenses and transfers for the month: \$42,625.52; ending checkbook balance: \$1,720.18. **Sanitary/Storm Water Assessment:** beginning checkbook

balance:\$10,881.46; transfers and revenue for the month: \$12,553.79; expenses and transfers for the month: \$5,259.20; ending checkbook balance: \$18,176.05.

Liaison Officer: Mr. Christian— No report given at this meeting.

Street Department: Mr. Olejnick reported that there is another Street Department worker out. A new hire was noted as starting today. Mr. Hampton, Street Commissioner, will start on 8/23/21.

Police Department: Mr. Menta read the police report for July 2021. There were no Crossing Guard Hours noted. There were 159 service calls, 2 vehicle accidents and 2 Borough ordinance violations. Fees collected totaled \$412.40. A motion was made by Mr. Menta to place monies in the appropriate fund and seconded by Mr. Cwalina. The vote was 6-0 in favor.

Fire Department: Mr. Cwalina reported that there were 39 ambulance calls for the month of July 2021. Mr. Cwalina shared that Hose Company #2 grant money (approximately \$26,000) is being put into the upkeep of the fire truck.

Mayor Concert: - Mayor Concert shared the Valley with a Heart 20th Anniversary. Council is asked to consider a donation of \$150.00. Mr. Brown made a motion to donate \$150.00 to Valley with a Heart. Motion was seconded by Mr. Christian. Vote was 6-0 in favor.

- Mayor Concert shared two trees have been purchased and will be planted in memory of Andrew Jones and Jerry Suda.

- Mayor Concert shared the Christmas in July event resulted in the donation of 186 toys and there were 700 items collected for Veterans.

- Mayor Concert requested that the overgrown yard noted at 12 Grace Street be placed on the list of areas to be cleaned up by the Street Department. The issue was reviewed by Mike Galanda, Swoyersville Zoning Officer and it was noted that there is no available family to address the issue. Cost of clean up should be placed as a lien on the property.

- Mayor Concert recommended that the iron fence located next to the playground at Roosevelt Field be removed as he feels it is a safety hazard.

- Mayor Concert shared that the Fall Harvest is scheduled on 9/11/21 at Roosevelt Field.

Attorney Yeager: Attorney Yeager shared that he reviewed information provided by Mr. Nenichka at the July 20th Special Council Meeting relating to a drug and alcohol testing/certification requirement for the new Street Commissioner. Attorney Yeager agrees that the Borough should have the certification in place for Mr. Hampton. Certification can be obtained by attending two required video sessions online. It would be in the best interest of the Borough for Mr. Hampton to attend the training. Mr. Christian thanked Mr. Nenichka for bringing the certification requirement to the attention of Council.

- Attorney Yeager shared information on the Pennsylvania Sunshine Law (Open Meeting Law) amendment that becomes effective on 8/29/21. The amendment provides for additional transparency with Council meeting agendas & requires the Borough to make agendas available for the public prior to the meeting. Attorney Yeager will sit with Gene Breznay, Borough Manager to review information and how it is going to

affect future Council meeting agendas. It is recommended that Council also meet to discuss the required changes and how they will be addressed.

-Mr. Christian requested follow up on the payment issue involving the Water Company for work performed on Jay Street. Attorney Yeager shared that initially the Water Company had agreed to reimburse the monies; however, there are a few legal issues relating to the initial check that was received from the Water Company & deposited by the Borough. Attorney Yeager will follow up on the issue and update Council.

Old & New Business:

- Mr. Christian shared that catch basin spraying was conducted around Noyes/Townsend St. on June 21, 2021; however, residents have shared that the spraying never went beyond the Talcott/Owens/Hughes St. area. Mr. Christian recommended that the contractor be notified of the need to come back to finish spraying.

Mr. Christian shared that the pile of wood on Mountain Street has been addressed.

- Mayor Concert recommends that Council choose a date for a work session to decide how to address what will be placed on meeting agendas moving forward; especially considering Council will not be able to vote on an item if it is not included on the agenda (with exception of emergency items). Council agreed to set a work session for Thursday, September 2, 2021 at 6:30 pm.

MEETING OPENED TO THE PUBLIC

- Lorraine Lugar-Stas, 32 Main Street presented a written complaint to Council for review. Council noted that the formal complaint presented could not be discussed in a council meeting forum as it considered a personnel issue. Ms. Lugar-Stas was assured by Council that the complaint will be fully investigated.

Ms. Lugar-Stas also presented frustration regarding an ongoing issue involving damage to her property that she feels has been caused by the Borough. It was noted that Borough property does go through her driveway. Ms. Lugar-Stas does not feel that her concerns that have been presented to the Borough on several occasions are being taken seriously. Mr. Keating assured Ms. Lugar-Stas that Council will follow through with her concern and work to resolve the issue.

- Tony Zambito, 135 Jackson Street – Mr. Zambito followed up on a paving concern involving a section of road on Jackson Street that he presented at the last meeting. There are now potholes present. Mr. Zambito is concerned about hitting the potholes with his equipment as there is no way around them. He would appreciate the issue being fixed as soon as possible as it does create problems for resident that travel on the street. Mr. Olejnick shared that he will look at the area and involve Mike Amato to have it addressed appropriately.

Mr. Zambito questioned Council if the Borough considered his suggestion from the last meeting for monies received from the Covid Relief Fund to be given back to the taxpayers of Swoyersville. Mayor Concert shared that he did follow up with Aaron Kaufer's office and was informed that it was not possible. Mr. Zambito feels that Aaron Kaufer is incorrect and would like Council to look at different avenues to consider his suggestion.

- Celia Conner, 86 Grandview Drive (Steeple Chase Townhouse Development) shared that in June she reached out to the Borough's Facebook page with some concerns she had regarding an overgrown tree at the corner of Main Street/Steeple Chase Drive, overgrown weeds in a drainage ditch in the development & placement of a "Yield to Pedestrians" sign near the crosswalk at the intersection of Main Street & Shoemaker. She did receive a response from the Borough Manager explaining that with Main Street being a State Road, the borough was unable to place a "Yield to Pedestrians" sign. It was also shared that the overgrown tree issue was passed along to the Zoning Officer. With the Street Department being short-handed, a request was made for her to give the department a little bit of time to address the overgrown weeds. Ms. Conner has reached out to Aaron Kaufer's office regarding the issue of the "Yield to Pedestrians" sign to see what could be done to address the request.

In July, Ms. Conner reached out again as the tree branches at the corner of Main St/Steeple Chase Drive had overgrown even more. She asked at that time that overgrown tree branches at a residence on Shoemaker Street could also be addressed. She was informed that she should reach out to the Zoning Officer with her concerns; however, feels that she should not be the one to have to do that. Mr. Christian shared that he did reach out to Mike Galanda regarding her concerns and reached out to one of the parties involved with the overgrown tree branches that the branches have been trimmed. Mr. Galanda will follow up with the remaining branches. Mr. Christian also viewed the area involving the drainage ditch and along with Mr. Olejnick will review the issue with the Street Department to address as soon as possible.

- Robert Long shared with Council that the 10th Annual Run for A Cure was being held on Saturday, September 4, 2021. Mr. Long requested assistance with traffic control as has been provided in past years.

Mr. Long shared a concern regarding cars zipping through stop signs on Shoemaker/Hemlock/Slocum & Church Streets. He is out walking often during the morning and wanted to bring this to Council's attention as he sees it often. Mr. Keating thanked Mr. Long for sharing his input.

- Ryan Binkley, 21 Clinton Street thanked Council for getting Jay Street paved. Mr. Binkley requested clarification on Council work sessions and if they were open to public. Council work sessions are open to the public. No minutes are taken during work sessions.

Mr. Binkley questioned if outsourcing is a possibility to assist with addressing some of the concerns that have been presented surrounding overgrown trees/weeds, etc. while the Street Department is experiencing down time with some of its staff. Mr. Cwalina shared that assistance has been requested from neighboring boroughs during the last few months. Mr. Christian also shared that the Borough has subcontracted out for assistance in the past. Mr. Binkley feels that it is an option that should be considered as needed to assist the Street Department.

Mr. Binkley asked if the Recreation Board background checks have been completed and if applicants have been notified by the Borough of their membership. Mr. Christian shared that all the background checks are complete, except for Mr. Connelly who was voted in this evening and Gene Breznay is following through with forwarding information regarding rules for the board to the members.

- Ken Rossa, 330 Slocum Street suggested the use of county prisoners or boy scouts to assist with grass/weed cutting. Attorney Yeager did share that a big issue right now with use of county prisoners is the issue of Covid. Mr. Christian shared that another issue involves the need for an extended notice for assistance.

Mr. Rossa feels the buildup of garbage bags next to the fire station on Slocum St. needs to be addressed. He also feels that speeding on Slocum Street presents a danger. Mr. Rossa is also concerned about the Borough finances as he feels the salary approved for the new Street Commissioner is high. Mr. Rossa feels that we should have paid fire fighters, so we have more. Mr. Cwalina shared that efforts are being made to have additional fire fighters available on a part time basis through the weekdays.

- Mark Nenichka, 77 Brook Street presented a concern regarding a natural gas main that is rotted on Brook Street. He shared that recently work was done to repair a leak in the main. Mr. Nenichka requested Council to assist with addressing the need for the Gas Company to replace the rotted line. Mr. Christian asked if 911 is called when residents smell gas. 911 & a direct 800 number (Gas Company) is called. Residents on Brook Street are fearful of a potential explosion as the leaks are occurring more frequently. Council will evaluate issue and assist to get it addressed.

A motion to adjourn was made by Mr. Cwalina and seconded by Mr. Brown. Vote was 6-0 in favor. Meeting was adjourned at 7:27pm. Next meeting will be held on September 7, 2021 at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

William Keating
Council President

August 10, 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. Christian, Mr. Cwalina, Mr. Menta, Mr. Olejnick and Mr. Keating. Also noted as present were Mayor Concert and Gene Breznay, Borough Manager. Councilman Brown and Attorney Yeager were noted as absent.

An Executive Session was called at 6:31 pm and ended at 6:36 pm.

A motion was made by Mr. Olejnick to hire Jeffrey Klecha as a full-time Street Department Laborer at a rate of \$15.00/hour pending satisfactory results of all required testing. Motion was seconded by Mr. Cwalina. Vote was 5-0 in favor.

A motion to adjourn was made by Mr. Christian and seconded by Mr. Olejnick. Vote was 5-0 in favor. Meeting adjourned at 6:55 pm.



Barb O'Donnell
Borough Council Secretary

William Keating
Council President