

OCTOBER 4, 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. Christian, Mr. Menta, Mr. Olejnick and Mr. Keating. Also present were Mayor Concert, Attorney Yeager, Borough Solicitor, Gene Breznay, Borough Manager, Mike Amato, Engineer (PennEastern Engineers, LLC) and Dave Hampton, Street Commissioner. Mr. Brown noted as present after initial Roll Call. Mr. Cwalina noted as present after initial Roll Call via telephone.

A motion was requested by Mr. Keating to accept the minutes from the regular September 13, 2021, meeting. A motion was made by Mr. Olejnick and seconded by Mr. Menta. Vote was 4-0 in favor. Mr. Brown & Mr. Cwalina were absent at the time of this vote

Monthly bills totaling \$11,735.58 were presented by Mr. Breznay. A motion for approval of the monthly bills was made by Mr. Brown and seconded by Mr. Olejnick. Vote was 5-0 in favor. Mr. Cwalina was absent at the time of this vote.

An Executive Session was called by Mr. Keating at 6:34 pm and ended at 6:46 pm. Mr. Keating shared that the reason for the Executive Session was to discuss paid time off benefits for the Street Commissioner.

BOROUGH MANAGER'S REPORT

- Mr. Breznay presented an update on the Block Grant paving project. The project is nearing completion with a few finishing touches. The project included Shoemaker, Laverick, Birch, Bohack and Maltby Streets. A final inspection will occur.

-Mr. Breznay presented that the 2022 Budget is 95% completed, awaiting health insurance renewal rates. The Health Insurance contract renews on December 1, 2021.

COMMITTEE REPORTS

Finance: Mr. Brown presented the August 2021 Finance Report. **General Fund:** beginning checkbook balance: \$24,269.31; transfers & revenue for the month: \$152,207.40; Expenses & Transfers for the month: \$86,338.99; ending checkbook balance: \$90,137.72. **Liquid Fuels:** beginning checkbook balance: \$198.53; transfers and revenue for month: \$4,500.12; expenses and transfers for the month: \$4,343.09; ending checkbook balance: \$355.56. **Solid Waste Collection:** beginning checkbook balance: \$17,333.35; transfers and revenue for the month: \$23,942.87; expenses and transfers for the month: \$22,284.96; ending checkbook balance: \$18,991.26. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$14,347.98; transfers and revenue for the month: \$10,218.79; expenses and transfers for the month: \$12,566.61; ending checkbook balance: \$12000.16.

Mr. Brown presented the Executive Session item for vote. Mr. Brown clarified paid time off benefits for the newly hired Street Commissioner. For year 2021: 5 vacation days, 5 sick days & prorated personal days; for 2022 (beginning January): 2-week vacation, 10 sick days & standard personal days; for 2023 (beginning January): 3-week vacation, 10 sick days & standard personal days. In addition, attendance at Council meetings will be paid at 1.5 hours Comp Time. Mr. Cwalina questioned the Comp Time paid for Council meeting attendance as this was never paid to previous Street Commissioners. Attendance is required as part of their role as Street Commissioner. A motion was made by Mr. Brown to approve the paid time off/comp time summary presented. Motion was seconded by Mr. Christian. Vote was 5-1 in favor, with Mr. Cwalina voting no.

Liaison Officer: Mr. Christian discussed a parking issue on Steeplechase. The No Parking Ordinance approved at a prior Council meeting for the North Side of the street has resulted in an issue with parking on the South side of the street. Mr. Christian & Sergeant Wolinsky evaluated the area, and a recommendation is being made to extend the no parking 147 feet west of the current signage which would result in signs being parallel with equal footage "no parking" on both north & south side of Steeplechase. A motion was made by Mr. Christian to amend the original ordinance. Mr. Olejnick seconded the motion. Vote was 6-0 in favor.

-Mr. Christian shared of a potential issue with current parking on Pettebone Street. When cars park on both sides of the street, Pettebone can be too narrow for resident/Emergency vehicles to get through. Should "no parking" be considered for one side? Mr. Cwalina did visit the area and shared the issue involves cars or delivery vehicles stopping to drop/pickup, not actually parking. It is Mr. Cwalina's opinion that "no parking" on one side of the street will not solve the issue. Chief Castner shared that he has not received any parking/street complaints from residents. Mr. Christian asked Chief Castner to make Council aware if there are any complaints received moving forward.

Street Department:

-Mr. Olejnick shared that one bid was received for the removal of six (6) trees at 932 Main Street. The bid was received in the amount of \$2,000.00 from Ray's Tree Service. Mr. Olejnick made a motion to award the bid to Ray's Tree Service. The motion was seconded by Mr. Brown. Vote was 6-0 in favor. Mr. Olejnick requested Dave Hampton, Street Commissioner to follow up with Ray's Tree Service and noted that it had been previously agreed upon by Council that contracted work be completed within 30 days of an awarded bid.

-Mr. Olejnick asked Mike Amato, Engineer (PennEastern Engineers LLC) to provide an update on the Birch Drive flood issues and discuss measures to help prevent further flooding, including the DEP permit process. Mike Amato shared that the street has been paved and a stone swale placed at the end of the road. A wet well and force main with quick disconnect for pump is currently being designed. There is coordination with PA DEP Bureau of Waterways for permit/modifications. There is a possibility for Storm Water funding for this project. Mr. Christian requested Mike Amato & or Attorney Yeager to follow up on funding available.

-Mr. Amato also provided the following updates/recommendations on Street Department related issues:

Hazel Street near Kossack Street basin: Borough received a report of interior drainage ponding on street & properties. Like Birch Drive, interior drainage is collected & conveyed to the basin via a flap gate. Flap gate should be maintained free of debris & vegetation to enable proper operations. Continue maintenance program.

Warsaw Street near house 358: Borough received a report of runoff not being contained within the existing drainage system consisting of catch basins and storm sewer near house 358. In the general vicinity a swale connects to an inlet. During the recent heavy rain event, the swale & piping system overflowed onto Warsaw Street, causing yard flooding. Drainage systems are not designed to accommodate the type of storm event which was recently experienced. The existing piping system downstream to the ponding basin should be evaluated and any debris/silt removed. The swale to the drainage system can be improved by creating a basin upstream of the connection on Warsaw Street. Right of way will be required since the swale traverse's private property.

Wade Run: Borough received a report of weeds & high grass along the channel. Continue maintenance program for the channel & basin. The Sanitary Department can assist with this. Dave Hampton, Street Commissioner will reach out to Phil Campetti with a request.

Kossack Street extension near house 932 Main Street: Borough received a report of trees causing issues with roadway & private property. Additionally, the swale isn't functioning which is causing damage to property & road. Proposals were procured for the tree removal. Once trees are removed, DPW can be called in. The swale can be reviewed & maintained as necessary. The existing system upstream to Hill Street should be evaluated and any debris/silt removed. Maintenance on the roadway can be scheduled accordingly. Any Issue with property damage should be referred to the Borough Solicitor.

Police Department: Mr. Menta read the police report for September 2021. There were no Crossing Guard Hours noted. There were 157 service calls, 3 vehicle accidents and 1 Borough ordinance violations. Fees collected totaled \$288.41. A motion was made by Mr. Menta to place monies in the appropriate fund and seconded by Mr. Olejnick. The vote was 6-0 in favor.

-Mr. Menta informed Council that there is a need to establish a new Civil Service list for the Police Department. Mr. Menta requested that a Civil Service test be scheduled for Police Department candidates with no cost to the candidates. A motion was made by Mr. Menta and seconded by Mr. Christian. Vote was 6-0 in favor.

Fire Department: Mr. Cwalina reported that there were 31 ambulance calls in the month of September 2021.

Mayor Concert: Mayor Concert shared that the Fall Festival is being held on 10/16/21, 11am to 4 pm at Roosevelt Field. Emergency services and the media will be in attendance. Also, The Swoyersville Sailors will be holding their bon fire in the evening at Roosevelt field on 10/16/21.

-Mayor Concert requested that the lights outside the Borough Building be checked to ensure that the Flag is lit up in the early morning hours. Gene Breznay will look at the issue.

-Mayor Concert thanked all those who came out to the parks to clean up last weekend. Another gathering will be scheduled shortly.

-Mayor Concert shared that \$789.00 was raised during his can drive. More books will be purchased. Thank you to all those who drop off cans. Another story hour will be held and one of the books that will be purchased is The Poor Little Pumpkin written by a Swoyersville author, Barbara Gavlick Harnett.

-Mayor Concert shared that the Swoyersville Kiwanis & the Seton Knights of Columbus, Council 12976 are hosting a Trunk or Treat event on 10/24/24, 1pm to 4pm at the Saint Elizabeth Anne Seton church on Hughes Street. Call Sandy at 570-606-1153 if interested in participating. The Swoyersville Kiwanis Club is also hosting "Birds of Prey" October 9, 2021, at the Honorable Andrew Barilla Park on Slocum Street.

-Mayor Concert shared a request to place a "SLOW" stencil on Simpson Street by Fortune Fabrics. Dave Hampton, Street Commissioner will follow up on the request. Mayor Concert thanked Dave Hampton for the detailed work report that was submitted to Council.

-Mayor Concert thanked Adam Christian, Shawn Brown and Bill Keating for the lights supplied for the tree in front of the Borough Building. Red was displayed in honor/recognition of blood cancer, Green in honor/recognition of NICU, and pink will be displayed in honor/recognition of Breast Cancer.

Attorney Yeager: No report given.

Old & New Business: None presented.

MEETING OPENED TO THE PUBLIC

- Matt Onzik- 66 Maltby Avenue. With concrete corners installed on the corner, there is now a 6 inch drop off between the property and the sidewalk. Who is going to address this issue? Pictures were provided for Council to review. In addition, the street sign was removed during the project and not replaced. Council requested Mike Amato to review the issue and recommend a resolution. Mr. Onzik was requested to provide Gene Breznay with a contact phone number. Mr. Onzik will be contacted so he can be present when Mike Amato arrives to review the issue.

-Ms. Gerwin, Parrish Street, provided Council an update on the Trap, Neuter & Release (TNR) program for cats in Swoyersville that was presented at last month's meeting. The program is shut down until December 1, 2021, because of being so busy and not being able to find additional help. Ms. Gerwin will plan on being back in December with the program representative to provide further information regarding the service and potential grants.

-Ryan Binkley, 21 Clinton Street- Mr. Binkley presented a suggestion to define a seasonal parking ordinance directed at helping the Street Department clear snow from sides of the streets after a snowstorm during the timeframe November 1st to April 1st of the following year. The suggestion involves a 48-hour timeframe where residents would alternate parking on sides of the street to allow the Street Department to clear one side one day and the other side the next day. Concerns were shared by council regarding the suggested "48 hours timeframe" and the huge cost & work involved with placing street signage.

Mr. Binkley suggested the purchase of an online Ordinance Library so all residents can access ordinances, agenda, minutes and budgets without having to request it from the Borough. Information was provided regarding software applications utilized by surrounding municipalities. Cost of application is \$195.00 annually. Mr. Christian thanked Mr. Binkley for the information and asked Gene Breznay to follow up and research the applications suggested. Mr. Breznay will also inquire as to whether Covid funds received by the Borough could be utilized to purchase an online Ordinance Library.

Mr. Binkley presented three resident concerns regarding stormwater drains and basin drainage issues at 1 Kossack, 92 Hazel, and 77 Filbert Street. Mr. Olejnick shared he did reach out to the Sanitary Department regarding the property on Kossack; however, has not yet heard back from them. Dave Hampton, Street Commissioner will follow up on all issues.

- Lorraine Lugar-Stas, 32 Main Street, Ms. Lugar-Stas thanked Council for arranging the trees to be removed. Ms. Lugar-Stas questioned how long it will be before DPW will be able to get to her property to address the remaining issue. Mr. Olejnick shared that the trees will be removed within a 30-day timeframe. Although an answer cannot be provided regarding how quickly DPW will be able to evaluate/address the issue, Mr. Christian assured Ms. Lugar-Stas that any Swoyersville Borough Services required will move quickly. Ms. Lugar-Stas questioned what will be done to address damages to her property. Mr. Christian shared his understanding that the issue was to be submitted to Ms. Lugar-Stas's homeowner insurance to determine if any damage is felt to be the Borough's responsibility. Ms. Lugar-Stas also requested a copy of Mike Amato's, PennEastern Engineering LLC, inspection that was carried out.

-Hank Zelenski, Keystone Reclamation Fuel Management, associated with the Harry E. project, presented a letter to Council requesting support from Swoyersville Borough to continue the Pilot funding to keep the project alive and on track. The letter outlines a request for extension of the project into 2022. It is the same request taken at the end of 2020 with the exception that the seven-acre property is now escrowed. The property has been subdivided and there is now a separate deed for the donation property. Council informed Mr. Zelenski that this issue will be placed on the November 2021 Council Meeting Agenda for review and vote.

-Steve Serniak, 62 Birch Street questioned what could be done regarding aerial burst fireworks being set off within Swoyersville Borough. Mr. Serniak shared an event where his roof was damaged by fireworks set off by a neighbor across the street. Mr. Serniak shared photos with Council and noted that police were contacted. The roof was replaced and resulted in a \$1,000.00 deductible cost. Kyle Castner verified that there is an active investigation taking place. Mr. Serniak asked if there was anything Council could do to prohibit aerial burst fireworks within the borough. Council noted that there is a firework ordinance in place within Swoyersville & shared residents need to contact 911/police if there are any concerns regarding violation. Mr. Christian encouraged Mr. Serniak to make sure that the Police Department follows up with him regarding the active investigation.

-Kathy Breznay, Church Street requested information on the status of the Rec Board noting that nothing has been advertised regarding meeting times & place. Are the meetings open to the public? Council confirmed meetings are open to the public. Mr. Breznay did share that information found on the website for the previous Rec Board shows meetings were held on the last Monday of each month at 7 pm in the Borough Building Council Chambers. Mr. Christian shared that the Rec Board has not yet contacted Council to share details regarding days & times of meetings.

A motion to adjourn was made by Mr. Brown and seconded by Mr. Menta. Vote was 6-0 in favor. Meeting was adjourned at 7:59 pm. Next meeting will be held November 1, 2021, at 6:30 pm.

Barb O'Donnell
Borough Council Secretary

William Keating
Council President