

NOVEMBER 1, 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. Brown, Mr. Cwalina, Mr. Menta, Mr. Olejnick and Mr. Keating. Also present were Mayor Concert, Gene Breznay, Borough Manager, Mike Amato, Engineer (PennEastern Engineers, LLC), Ken Shefler, Code Enforcement Officer and Dave Hampton, Street Commissioner. Attorney Yeager, Borough Solicitor, is noted as absent.

A motion was requested by Mr. Keating to accept the minutes from the regular October 4, 2021, meeting. A motion was made by Mr. Brown and seconded by Mr. Menta. Vote was 5-0 in favor with Mr. Cwalina abstaining from the vote. Mr. Christian asked if the audio recording of the October 4, 2021, meeting could be transferred online.

Monthly bills totaling \$26,171.50 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. Olejnick. Vote was 6-0 in favor.

BOROUGH MANAGER'S REPORT

- Mr. Breznay presented an update on the Block Grant. The project is near completion. Final inspections will be done with Community Development. A motion is needed to approve a certification that will be sent to Community Development. The certificate will be processed and payments to the Borough will be forwarded. A motion was made by Mr. Brown and seconded by Mr. Christian. Vote was 6-0 in favor.

Mike Amato informed Council that he met with the property owner who presented a concern involving Maltby Ave at the last meeting and is willing to be with any other property owner with a concern.

-Mr. Breznay shared that the 2022 Budget is complete. A Budget work session is needed to finalize it. A work session is scheduled for November 15, 2021, at 6:30 pm

-Mr. Breznay followed up on a request to codify ordinances. An estimate was provided by General Code for \$13,995.00. Money to cover this amount will be able to come from the ARPA (American Rescue Plan Act – Federal Funding). A motion is requested to approve moving forward with this process. A motion was made by Mr. Brown and seconded by Mr. Cwalina. Vote was 6-0. A question was presented by Mr. Zambito regarding the use of ARPA funds to cover the project. Mr. Breznay shared that this project qualifies as something the Borough can do with the funds.

-Mr. Breznay presented a letter of resignation received from Mike Galanda. Mr. Galanda resigned from the position of Zoning Officer effective October 7, 2021. A thank you was extended to the Mayor and Council for the opportunity for Mr. Galanda to work for the Borough for over 3 years. Mr. Galanda offered his assistance during the transition to a new Zoning Officer as needed.

Mr. Olejnick made a motion to accept Mr. Galanda's resignation letter. Motion was seconded by Mr. Cwalina. Vote was 6-0 in favor. A motion was then made by Mr. Olejnick to advertise for the Zoning Offer position at the same salary rate Mr. Galanda was receiving at 20 hours per week. Motion was seconded by Mr. Cwalina. Vote was 6-0 in favor. A question was presented by a resident regarding if certification would be required for the position. Ken Shefler, Code Enforcement Officer, addressed the question and provided input regarding the position. Mr. Shefler also shared that he will be assisting the Borough until the position is filled.

COMMITTEE REPORTS

Finance: Mr. Brown presented the September 2021 Finance Report. **General Fund:** beginning checkbook balance: \$90,137.72; transfers & revenue for the month: \$135,982.08; Expenses & Transfers for the month: \$202,635.72; ending checkbook balance: \$23,484.08. **Liquid Fuels:** beginning checkbook balance: \$355.56; transfers and revenue for month: \$4,900.12; expenses and transfers for the month: \$5,141.12; ending checkbook balance: \$114.56. **Solid Waste Collection:** beginning checkbook balance: \$28,991.26; transfers and revenue for the month: \$22,717.63; expenses and transfers for the month: \$19,160.90; ending checkbook balance: \$32,547.99. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$12,000.16; transfers and revenue for the month: \$29,235.85; expenses and transfers for the month: \$5,164.57; ending checkbook balance: \$36,071.44.

Liaison Officer: Mr. Christian presented an amendment to the No Parking Ordinance that was approved at the October 2021 Council meeting for the North & South sides of Steeplechase Road. A motion was requested to approve "No Parking" on the North side of Steeplechase Road from "Main Street to Grandville Drive". Motion was made by Mr. Brown and seconded by Mr. Cwalina. Vote was 6-0. A second motion was requested to approve "No Parking" on the South side of Steeplechase Drive for "111 Feet" (from current sign) in a Northwesterly direction from Main Street. A motion was made by Mr. Brown and seconded by Mr. Cwalina. Vote was 6-0 in favor.

Street Department:

-Mr. Olejnick made a motion to purchase a Carbide Cutting Edge Set for a Western 10' Pro Plus Snowplow, a Western 9' Pro Plus 3 Piece Carbide Cutting Edge Set and a 96 inch (8') Western Pro Plus. Total cost of purchase is \$1,950.00 (Powell's). Motion was seconded by Mr. Brown. Vote was 6-0 in favor.

-Mr. Olejnick shared an issue with Dave Hampton, Street Commissioner, involving subsidence near a storm drain at 71 Milbre Street. Mr. Hampton will follow up. An update was also requested on the removal of trees at 932 Main Street. Mr. Hampton will follow up again with Ray's Tree Service.

Police Department: Mr. Menta read the police report for October 2021 which included Crossing Guard Hours. There were 191 service calls (which included thirty-three "Traffic", thirty-four "Medical Emergencies" & twenty-four "Assisting other Police Departments"), five vehicle accidents and ten Borough ordinance violations. Fees collected totaled \$369.73. Mr. Menta made a motion to place monies in the appropriate fund. Motion was seconded by Mr. Olejnick. The vote was 6-0 in favor.

- Mr. Menta presented two letters to Council. A specific request is made for both letters to be entered into the minutes in their entirety.

#1- Letter of resignation received from Patricia O'Donnell, Civil Service Board member: To Swoyersville Borough Council: "It is with regret to inform you that I will be resigning from my position on the Civil Service Board effective immediately. It has been an honor to administer the Civil Service exams and choose the most qualified candidates. Sincerely, Patricia O'Donnell". Mr. Menta made a motion to accept the resignation. Motion was seconded by Mr. Olejnick. Vote was 6-0.

#2- Letter of resignation received from Patricia O'Donnell, EMA Director: To Swoyersville Borough Council: "I regret to inform you that I will be resigning from my current position as EMA Director effective immediately. I have been dedicated to this position and have enjoyed serving the citizens of Swoyersville. I have made this decision due to the constant harassment from Councilman Christian spreading rumors and untruths about my training and qualifications, which I had all the required training and NIMS classes that go along with this unpaid position. Sincerely, Patricia O'Donnell". Mr. Menta made a motion to accept the resignation. Motion was seconded by Mr. Cwalina. Vote was 5-0 with Mr. Menta & Mr. Keating voting yes; however, with trepidation, noting that Ms. O'Donnell served the Borough and Council well & without her assistance during the timeframe Council had lost two members, Council would not have been able to get the things done that they had. Mr. Olejnick vote no to accepting the resignation.

- Mr. Menta made a motion to advertise for the now vacant position on the Civil Service Board. Motion was seconded by Mr. Cwalina. Vote was 6-0.

Fire Department: Mr. Cwalina reported that there were 12 Engine responses in the month of October 2021. There was no call report received from the Ambulance company for October 2021.

Mayor Concert: Mayor Concert shared that the Kiwanis Club is having their "All You Can Eat Breakfast Buffet" on November 7, 2021, 8 am to noon at St Elizabeth Ann Seton School Cafeteria. Cost is \$10.00 adults & \$3.00 children ages 5-10. Tickets can be purchased at the door or from any Kiwanis member.

-A motion was requested to purchase two recognition plaques from Larksville Trophy. The trophies will honor the Kiwanis' Club Seventy (70) Years of Service and the Music Box Forty (40) Years of Service. A motion was made by Mr. Olejnick to approve the purchase of two plaques and seconded by Mr. Cwalina. Vote was 6-0.

-Mayor Concert requested a motion to advertise for a new EMA Director for Swoyersville. A motion was made by Mr. Brown and seconded by Mr. Menta. Vote was 6-0.

-Mayor Concert presented a letter from Mr. & Mrs. Edward Michaels, residents at 78 ½ Hazel Street, sharing a flooding issue that they experienced on the evening of September 1, 2021, due to heavy rain and storm drains being blocked. The flooding resulted in damage to their basement. Mr. & Mrs. Michaels are asking the Borough for compensation to cover their insurance deductible, \$1,000.00. Council will refer the issue to the Borough Solicitor, Attorney Yeager for review. Mayor Concert will provide Mr. Breznay with a copy of the letter and Mr. Breznay will reach out to Attorney Yeager.

-Mayor Concert requested consideration to purchase a new freezer for Roosevelt Field to replace the current one that is broken. Council questioned if the purchase would be made using Rec Board Funds. Mr. Breznay requested an estimate.

-Mayor Concert requested a motion for the Borough to donate \$200.00 for a purchase of chocolate for the Holiday Events. Mr. Menta made a motion to donate \$200.00. Motion was seconded by Mr. Cwalina. Vote was 5-0. Mr. Christian was excused from the meeting at 19:05 prior to this vote.

-Mayor Concert suggested that a list of extra snowplow drivers be compiled ahead of the winter season. Mr. Hampton noted that a list is in place and updated.

-Mayor Concert extended a thank you to the Police & Fire Departments for the incredible job done last evening (Halloween). Residents shared that they were happy to the departments out talking to the children & making sure they were ok.

-Mayor Concert invited Kelly Connor, member of the Recreation Board, to the podium to present questions/requests that the Rec Board had. Ms. Connor, on behalf of the Board, requested assistance with the following:

- *Appointment of a Council Liaison(Executive Director) to the Rec Board
- *Set term limits for board members
- *Provide rules & regulations for the board
- *Provide accounting of funds available to the board
- *Provide previous board meeting minutes

Council noted Councilman Cwalina has volunteered to serve as the Council Liaison for the Recreation Board. A motion was made by Mr. Olejnick to assign Mr. Cwalina as Executive Director of the Recreation Board and seconded by Mr. Menta. Vote was 5-0 in favor.

It was also noted that there does not appear to be any previous board meeting minutes. A recommendation that the Recreation Board to start from nothing with developing rules & regulations, setting term limits, taking/transcribing meeting minutes, etc. Ms. Connor agrees and feels that the Board can now move forward working to structure the Board so that it is transparent to the community what the Board is doing and how they are functioning within the Borough. Mr. Cwalina will meet with Ms. Connor to further discuss obtaining an accounting of funds that are currently available to the Board.

-Mayor Concert requested a motion to advertise for the Recreation Board Meetings. To advertise, the Recreation Board will need to inform Council when their meeting days & time will be. Once the Board notifies Mr. Breznay, the meeting date & time will be advertised.

Attorney Yeager: No report.

Old & New Business: Mr. Menta requested that both resignation letters received from Ms. Patricia O'Donnell are entered into the meeting minutes in their entirety.

MEETING OPENED TO THE PUBLIC

-Tony Zambito, Jackson Street: Mr. Zambito requested an update on the section of Jackson Street that he previously brought before Council. Mr. Breznay shared with Council an estimate from Pennsy Supply for the amount of \$6,800 to repair the area. The estimate is noted as vague in that there are no measurements included. Mr. Olejnick will reach out to Pennsy Supply for further details/specifications.

Mr. Zambito shared a concern involving an apartment building at the corner of Oliver & Jackson. Garbage is still piling up on the ground. There is a need for the owner of the building to provide a dumpster or container for the apartment residents. Mr. Shefler, Code Enforcement Officer, will review the issue.

-Kathy Breznay, Church Street: On behalf of Kiwanis Club, Ms. Breznay shared that through fundraising events, the Club has been able to provide a lot of things that benefit Swoyersville residents. For the past 25 years the Kiwanis Club has been able to hang flyers at the entrances to the Borough Building. It has been noticed that the fundraising/event flyers are being removed after they are being hung. There has been no indication or communication indicating that the Club can no longer hand flyers to advertise fundraisers/events. Council is unaware of why they are being removed. Mayor Concert did share that Mr. Christian had made a request that signs be removed during the election period. Mr. Breznay clarified the request involved the signs that were on the front lawn (non-political in nature). Fundraising Flyers were not included in the request.

Ms. Breznay proposed to Council the hanging of a "Community Bulletin Board" in the Borough Building. Ms. Breznay shared that her research showed that other Communities are doing this & following specific rules: flyers would only be for fundraisers/events by nonprofit groups of our community or by a resident of our community that would be held to assist Swoyersville community or a Swoyersville resident. It would not be political, negative, or show prejudice and would not allow business cards/business advertisement or real estate/rental advertisements. There would be no sales or soliciting allowed.

Ms. Breznay will purchase the Community Board herself. There will be no cost to the Borough. A motion was made by Mr. Olejnick to allow Ms. Breznay to establish Community Bulletin Board within the Borough Building. The motion was seconded by Mr. Cwalina. Vote was 5-0 in favor. Mayor Concert commented that the Kiwanis Club does a great deal for the Borough of Swoyersville!

-Ms. Breznay announced the Kiwanis Club's 70th Anniversary that is coming up on December 12, 2021. A celebration will be held on December 11, 2021 and will be open to the residents of Swoyersville Borough. Invitations to attend were handed out to Council Members.

-Mike Evanoski, Townsend Street: Noted that Ponding basins are being redone. With the roads being newly paved, are there road bonds in place for the contractor? Mike Amato, Penn Eastern Engineers, shared that contractor was not specifically told that a maintenance bond was required for the street. The project is bonded and if the contractor would do any type of damage to the road, the issue will be corrected.

-Joe Laskowski, 404 Hughes Street: At a previous meeting, Mr. Laskowski asked if someone could look at Hill Street, between Warsaw & Owen. The street is torn up and has a large pothole. Has the area been evaluated? Dave Hampton, Street Commissioner will visit Hill Street and evaluate the issue between Warsaw & Owen.

Mr. Laskowski asked Council how Streets are determined for paving as he noticed some streets that had no issues were paved. Mr. Breznay explained the Block Grant program & how street selection occurs. The Block Grant is funded by HUD, who forwards a Borough Map with eligible areas shaded to the County. The eligible areas are determined by HUD to be low to moderate income areas which is the requirement to qualify for paving. Luzerne County then forwards the map to the Borough and the Borough can only choose streets that fall within the shaded area.

-Tom Petrikonis, 11 Stock Avenue: Mr. Petrikonis shared a problem he & his neighbor are experiencing with water buildup in their backyards. The water is sometimes a foot deep if it rains. Mr. Petrikonis would like permission to run a pipe (from two French drains) out beyond a five foot Utility Right Away that exists behind the homes. This pipe would then allow the water to run out into an empty field behind his home. Mr. Brown & Mike Amato, Engineer, will visit the area to evaluate further. The issue will also be reviewed with Attorney Yeager, Solicitor.

A motion to adjourn was made by Mr. Brown and seconded by Mr. Cwalina. Vote was 5-0 in favor. Meeting was adjourned at 7:43 pm. Next meeting will be December 6, 2021, at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

William Keating
Council President