

January 3, 2022 - 6:30 PM

## REORGANIZATION MEETING OF SWOYERSVILLE BOROUGH COUNCIL

Mayor Concert called the meeting to order.

The Pledge of Allegiance was recited. Mayor Concert welcomed everyone to the meeting and shared that prior to the meeting, Mr. Christian, Mr. Lamereaux and Mr. Keating were sworn in as continuing and new Council members. In addition, Nancy Keating, Borough Tax Collector and Mayor Concert both took their Oaths of Office.

Roll Call was taken; those present included Mr. Christian, Mr. Cwalina, Mr. Keating, Mr. Lamereaux and Mr. Olejnick. Also present were Attorney Yeager, Borough Solicitor, Gene Breznay, Borough Manager, Kyle Shefler, Zoning Officer and Dave Hampton, Street Commissioner. Councilman Brown was noted as absent.

Mayor Concert asked for nominations for Council President. A motion was made by Mr. Olejnick to nominate Mr. Keating as Council President. Motion was seconded by Mr. Cwalina. Vote was 5-0 in favor. Mayor Concert asked for nominations for Council Vice President. A motion was made by Mr. Cwalina to nominate Mr. Olejnick as Council President. Motion was seconded by Mr. Keating. Vote was 5-0 in favor.

Mr. Keating, Council President now chairs the meeting. Committee assignments were made by Mr. Keating as follows: Mr. Christian, Liaison; Mr. Brown, Liaison to Police Department; Mr. Lamereaux – Finance; Mr. Olejnick, Street Department; Mr. Cwalina, Fire Department.

A motion was requested by Mr. Keating to accept the minutes from the regular December 6, 2021, meeting. A motion was made by Mr. Cwalina and seconded by Mr. Olejnick. Vote was 4-0 in favor with Mr. Lamereaux abstaining from the vote. A motion was requested by Mr. Keating to accept the minutes from the special December 13, 2021 meeting. A motion was made by Mr. Cwalina and seconded by Mr. Olejnick. Vote was 4-0 in favor with Mr. Lamereaux abstaining from the vote.

Monthly bills totaling \$23,384.09 were presented by Ms. O'Donnell, Council Secretary. A motion for approval of the monthly bills was made by Mr. Christian and seconded by Mr. Olejnick. Vote was 5-0 in favor.

Mr. Olejnick presented a framed picture (donated by the Butchko family) of former Council Member & Veteran John Butchko, serving as a guard at the Tomb of the Unknown Soldier. The picture will be hung and displayed in the Borough Building.

Mr. Olejnick presented an original Swoyersville High School pennant that was donated by the Gongleski family. The pennant will be displayed in the Borough Building.

## BOROUGH MANAGER'S REPORT

- Mr. Breznay requested a motion and vote to approve the following ordinances: Setting date, hour and time of regularly scheduled monthly council meetings. A motion was made by Mr. Christian and seconded by Mr. Olejnick. Vote was 5-0 in favor. Regular scheduled meetings will be held on the 1<sup>st</sup> Monday of each month at 6:30 pm. If a legal holiday falls on the 1<sup>st</sup> Monday, the meeting will move to Tuesday at 6:30 pm.

-Mr. Breznay requested a motion and vote to approve the Salary Ordinance. Mr. Christian requested a copy of the salary information for his review prior to motion. A motion was made by Mr. Olejnick and seconded by Mr. Christian. Vote was 4-0 in favor with Mr. Christian abstaining from the vote.

-Mr. Breznay requested a motion and vote to approve the Resolution for setting member contributions for the Police Pension. A motion was made by Mr. Cwalina and seconded by Mr. Olejnick. Vote was 4-0 in favor with Mr. Christian abstaining from vote.

-Mr. Breznay requested a motion and vote to approve the Borough entering into an agreement with Sourcewell Cooperative Purchasing Agency. They are a national service agency comparable to PA Costars. Becoming a member will allow the Borough to get a discount on purchasing (tractors, vehicles, etc.). A motion was made by Mr. Cwalina and seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mr. Breznay recommended that Council discuss how the surge in COVID cases may affect the Borough Building and the Street Department Garage as both remain open to the public. There have been no plans initiated by the County. Council will monitor the situation and changes will be made as deemed necessary & appropriate.

-Mr. Breznay presented a performance grant received from DEP. The performance grant is based on tonnage of recycled material that the Borough processes for the prior years. For year 2020, the grant received is \$2,799.88.

At 6:46 pm, Mr. Keating excused himself from the meeting and requested Vice President, Mr. Olejnick to conduct the remainder of the Council Meeting.

## COMMITTEE REPORTS

**Liaison:** Mr. Christian questioned progress made on the No Smoking Policy to include smoking areas for each department. Attorney Yeager shared that he did not have anything to report at this meeting. He has reached out to a representative from Harrisburg for guidance & to allow coordination with the Borough to develop a policy.

Mr. Christian asked if Council is still reading comments made on facebook. It was noted by Mayor Concert that it was previously discussed that Council will no longer be reading questions or comments placed on facebook during a meeting as the building is now open with residents welcomed to attend & participate.

**Fire Department-** Mr. Cwalina reported that the planned motion & vote to add Ryan Binkley to the Recreation Board is rescinded at this time. There was an interest presented by Ryan Binkley to join the Recreation Board; however, it was clarified that an advertisement must first be posted accepting applications for an additional appointment to the Board.

Mr. Cwalina presented a motion for Council to conduct a 1<sup>st</sup> reading of the Recreation Board Bylaws with discussion and at next month's Council meeting. Mr. Olejnick seconded the vote. An opportunity for questions was presented to residents present prior to vote. Ms. Breznay, Church Street, questioned if the bylaws will also be available for the public to read. Council shared that it would be available. A thank you was extended to Kelly Connor & the Recreation Board for work performed to develop the Bylaws. Vote was 5-0 in favor. Mr. Breznay will post the Bylaws within the Borough for the public to view.

Mr. Cwalina made a motion to advertise for a Part-Time Fire Truck Driver at a rate of up to \$15.00/hr. Motion was seconded by Mr. Olejnick. An opportunity for questions was presented to residents present prior to vote. Mr. Breznay questioned if the plan includes presenting an applicant at the February Council Meeting which was then confirmed as yes by Mr. Cwalina. An advertisement will be placed in January. Mr. Cwalina shared that both Borough Fire Chiefs and Council members should participate in the interview process. Vote was 4-0 in favor.

Mr. Cwalina shared that the planned discussion regarding stipends for volunteer firefighters - Maltby Fire Department (15) and Hose Company #2 (11) - will be placed on hold for now until further discussions are held with Fire Chiefs.

Mr. Cwalina reported that there were 8 service calls from Hose Company #2 (96 total for 2021) and 54 ambulance calls for December 2021 (527 total for 2021).

**Street Department:** Mr. Olejnick shared that with ongoing complaints regarding the collection/mixing of recyclables and garbage, the process of mixing needs to stop. Borough grants are based on recycling, and we are mandated by the State to recycle. A way needs to be determined to stop the mixing. Rob Koval, Street Department, provided input regarding the decision to combine during last week in December that resulted from the Department being short staffed. Mr. Koval also shared that recycling was monitored and noted that many items being placed by residents in recycling bins is considered garbage (plants, wood, food contaminated containers, pizza boxes, dog feces, etc.). Mr. Koval provided Council a DEP packet of curbside pickup recyclable products information. Mr. Koval feels that many residents do not fully know what is considered acceptable for "recyclables". The Street Department has followed the Council Approved list of acceptable curbside recyclables and still receives complaints when something is left because rules are not followed. Mr. Koval suggested that he, Council Members and Mr. Hampton – Street Commissioner, get together to discuss and develop an acceptable curbside recyclable list & guide based on what the State requires. Mr. Hampton addressed the issue of overtime if the department is short staff to ensure the recycling collection process is maintained appropriately. Council shared that overtime is permitted and requests that if need exists for Mr. Hampton to reach out to Mr. Olejnick to communicate need prior to applying overtime hours.

Mayor Concert shared that although there have been some complaints regarding recycling, he has received many compliments regarding the fantastic job that the Street Department does.

Attorney Yeager questioned that with the DEP direction of shredded paper no longer accepted at curbside, where can residents take their bagged shredded paper? Mr. Koval is not aware of available centers that accept shredded paper. Attorney Yeager also questioned if there are specific plastic

“numbers” that are not accepted. Mr. Koval will reach out to DEP to obtain a list of plastic “number” information for posting on the Borough website.

**Finance:** Mr. Lamereaux presented the November 2021 Finance Report. **General Fund:** beginning checkbook balance: \$24,045.51; transfers & revenue for the month: \$439,131.08; Expenses & Transfers for the month: \$331,542.43; ending checkbook balance: \$131,634.16. **Liquid Fuels:** beginning checkbook balance: \$148.08; transfers and revenue for month: \$7,700.16; expenses and transfers for the month: \$7,685.19; ending checkbook balance: \$163.05. **Solid Waste Collection:** beginning checkbook balance: \$27,725.01; transfers and revenue for the month: \$7,457.29; expense and transfers for the month: \$14,577.37; ending checkbook balance: \$20,604.93. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$11,098.84; transfers and revenue for the month: \$2,202.92; expenses and transfers for the month: \$2,938.65; ending checkbook balance: \$10,363.21.

**Police Department:** Mr. Christian read the police report for December 2021 which included Crossing Guard Hours. There were 181 service calls (which included 41 “Medical Emergencies” & 28 “Assisting other Police Departments”), 3 vehicle accidents & 5 Borough ordinance violations. Fees collected totaled \$1018.12. Mr. Christian requested a motion to place monies in the appropriate fund. Motion was made by Mr. Cwalina and seconded by Mr. Lamereaux. The vote was 4-0 in favor.

**Mayor Concert:** Mayor Concert shared that if residents are not purchasing Recycling stickers and still would like a garbage information sheet, they can stop by the Borough building to pick one up. Mr. Breznay also shared that the information is also available on the Borough website.

**Attorney Yeager:** No report for this meeting.

**Old & New Business:** No old or new business presented.

## MEETING OPENED TO THE PUBLIC

- Dave Zasada, 348 Main Street, asked Mr. Christian to comment as to why he abstained on voting on the Salary Ordinance and the Resolution setting member contributions for the Police pension. Mr. Christian responded that voting on the Police pension is a conflict for him as he collects on it. As far as Salary Ordinance, Mr. Christian shared that he felt the increases were too large and given too quickly. He was not present at the meeting where salaries were discussed and at last month’s meeting voted no to approving the Police Department Memorandum of Understanding for salary increases for the coming years. With that no vote, he abstained from voting on the Borough Salary Ordinance.

-John Baker, 713 Main Street: Mr. Baker, Borough EMA Director, introduce himself to those present. Mr. Baker shared that he would like to get together with Chief Castner, Mr. Hampton, Street Commissioner and the two Borough Fire Chiefs to go over new EMA required paperwork that he received. Mr. Baker will also reach out to Council members to share what may be needed as he moves forward in his role. Council members thanked Mr. Baker for his interest in the role of Borough EMA Director.

-Tony Zambito, Jackson Street: Mr. Zambito thanked the Borough for the approval for paving of Jackson Street. Mr. Zambito also requested follow up on the garbage issue at the corner of Jackson. Chief Castner

did observe the situation and will be following up with Mr. Kyle Shefler, Borough Zoning Officer and the issue will be addressed. Mr. Lamereaux also recognized the issue of garbage at the building. As discussed in previous meetings, the 5-unit building does not have a garbage container outside. Residents place their garbage out days before their scheduled pick up. There are also no stickers placed on the bags which has prompted other residents to ask why they should place stickers on their bags if bags with no stickers are being picked up. Mr. Zambito suggested looking into whether the building is required to have a dumpster placed. Rob Koval, Street Department, shared the requirements for stickers on bags and limits that exist on number of bags that can be put out (one sticker per 1 large garbage bag or three small white bags with one sticker in a can).

-Ted, Swoyersville Hose Company #2 Volunteer Fire Fighter: As Borough volunteer fire fighters, are we covered under the Borough's Worker's Compensation program? Mr. Breznay shared that volunteer fire fighters are covered when responding to any fire and or performing any activities around the building. A second question was presented: Will the new part time fire truck driver being hired by the Borough be covered under Borough Insurance? Mr. Christian shared that the new driver will be a Borough employee and should be covered under the Borough's insurance during times that the driver is working his/her borough hours. Mr. Breznay will contact the insurance company to confirm.

-Kathy Breznay, Church Street: Will the issue of the garbage on the corner of Jackson Street be discussed with both the residents of the apartment building and the owner of the apartment building? Mr. Olejnick shared that the issue will be discussed with all involved so all are aware of the problem.

-Mark Nenichka, 77 Brook Street: Mr. Nenichka thanked Council for the road patching performed on lower Brook Street. Mr. Nenichka also thanked Dave Hampton – Street Commissioner for the help he provided addressing the creek bed issue with the Sewer Authority and getting the creek bed cleaned out. Mr. Nenichka shared his ongoing concern for the existing rotted gas main issue at the lower end of Brook Street. A response email was received from Mr. Kozik (UGI) stating that the gas company was not aware of any issues existing on Brook Street. Mr. Nenichka shared with Council that he personally forwarded an email back to Mr. Kozik sharing his disappointment in what he felt was inaccurate records kept by UGI. The letter was read to Council. A new district representative from UGI reached out to Mr. Nenichka and shared that he will be getting back to him regarding his concerns once he is established within Luzerne County. The district representative advised Mr. Nenichka to continue to call & communicate any suspected leaks or issues.

-Jeff, Swoyersville Volunteer Fire Fighter – also thanked Council for efforts made to help the fire department. Will Mr. Baker, EMA Director, be provided a portable radio so that there will be established contact? Council shared that equipment that Mr. Baker needs will be identified and provided. Mr. Baker will be providing a list of items for consideration.

-Mr. Christian, 360 Warsaw Street: Speaking as a resident of Swoyersville, Mr. Christian shared that In May, he had a discussion with Chief Castner regarding his concern for increased police presence at bus stops through town. Mr. Christian felt it improved for some time; however, specifically in December he feels it has diminished. He shared that on several occasions in December, he accompanied his son to the bus stop and with each time no police were present yet Mr. Christian noted that on one occasion, several cruisers were observed in the Department parking lot. He indicated that two police officers were on duty through the month of December and feels that police presence at the bus stops needs to increase especially during the hours of 7-9:00 am. Mr. Cwalina asked Chief Castner if there are calls received during the hours of 7-9 am & also acknowledged that there are a lot of stops throughout Swoyersville. Chief Castner shared that during the month of December there were not two officers on duty every day

during day shift as reported by Mr. Christian. There was only one officer working. On the occasion that Mr. Christian drove by and observed multiple cruisers in the department parking lot, the officer may have been handling an issue at the department or dealing with one of the many walk ins that occur. There were a total of 181 calls for service received by the Department in December. It is noted that there are 7 bus stops throughout the town & input received from the Owen Street Crossing Guard was that there is not a need for police presence as there are no issues/problems noted. Chief Castner shared that his officers are out and do a fantastic job; however, cannot be at all locations at the same time.

Mayor Concert added that the Police Department was swamped during the months of November and December with investigations and shared that the Department did an amazing job. Mayor Concert thanked the Department. Mayor Concert asked if Chief Castner could reach out to the Crossing Guards with information on how to contact the police if an issue or situation arises. Chief Castner shared with Mayor Concert and Council that the Crossing Guards do have information and are aware of how to contact the Police Department. Chief Castner shared that he is hopeful that in February Council will move forward with hiring an additional full-time police officer that will ease the flipping of schedules that currently exists and provide more availability where bus stop observation can increase. Mr. Christian asked Chief Castner to meet with him after the meeting so he can share some additional information.

-Mayor Concert shared that he will be traveling along with Mr. Shefler looking at street signs throughout Swoyersville. A list of missing street signs will be comprised so the Kiwanis club can start to place orders for new signs. Also, in the Spring, each month a clean up will be organized for the back road. If anyone is interested in volunteering for the cleanup, they can contact the mayor.

A motion to adjourn was requested by Mr. Olejnick. A motion was made by Mr. Lamereaux and seconded by Mr. Cwalina. Vote was 4-0 in favor. Meeting was adjourned at 7:38 pm. Next meeting will be February 7, 2022 at 6:30 pm.



Barb O'Donnell  
Borough Council Secretary

William Keating  
Council President