

JUNE 6, 2022 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 for all victims of recent gun violence.

Roll Call was taken; those present included Mr. Brown, Mr. Cwalina, Mr. Lamereaux and Mr. Olejnick. Also present were Mayor Concert, Attorney Yeager, Borough Solicitor, Gene Breznay, Borough Manager, Dave Hampton, Street Department and Kyle Castner, Chief of Police. Councilman Christian was noted as absent.

A motion was requested by Mr. Keating to accept the minutes from the May 2, 2022 regular meeting. A motion was made by Mr. Brown and seconded by Mr. Cwalina. Vote was 5-0 in favor.

Monthly bills totaling \$29,437.97 were presented by Ms. O'Donnell, Council Secretary. Mr. Breznay noted that the \$60.00 Costumes by Barbara expense is a duplicate and was already paid. A motion was made by Mr. Brown to approve the monthly bills. Motion was seconded by Mr. Cwalina. Vote was 5-0 in favor.

BOROUGH MANAGER'S REPORT

-Mr. Breznay shared the opportunity for the Borough to host a paper shredding event for Swoyersville residents. It would be no cost to the Borough with Luzerne County reimbursing up to \$2,000 for each event. The County will only pay for paper shredding. The Borough would need to get volunteers or Borough employees to work the event that would involve one weekday and one weekend. Mr. Cwalina made a motion to approve the Borough participating in a paper shredding event. The motion was seconded by Mr. Olejnick. More details regarding the event will follow.

-Mr. Breznay shared that the LSA grant awards are delayed until later this month or July 2022.

COMMITTEE REPORTS

Finance: Mr. Lamereaux presented the April 2022 Finance Report. **General Fund:** beginning checkbook balance: \$26,614.54; transfers & revenue for the month: \$259,927.16; Expenses & Transfers for the month: \$216,140.54; ending checkbook balance: \$70,401.16. **Liquid Fuels:** beginning checkbook balance: \$202.93; transfers and revenue for month: \$7,100.22; expenses and transfers for the month: \$7,136.42; ending checkbook balance: \$166.73. **Refuse Fund:** beginning checkbook balance: \$20,310.96; transfers and revenue for the month: \$24,597.51; expenses and transfers for the month: \$10,604.38; ending checkbook balance: \$34,304.09. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$11,360.23; transfers and revenue for the month: \$1,496.91; expenses and transfers for the month: \$9,386.95; ending checkbook balance: \$3,470.19.

-Mr. Lamereaux shared that he has received resident complains regarding the residence at 10 Chestnut Street. The property has tall grass & weeds. The home is currently unoccupied. Mr. Ken Sheffler has attempted to contact the property owner. There has been no answer. A text message was sent directing the owner to address the weeds/grass within 48 hours or a citation will be issues. Follow up with a letter will occur if necessary.

-Mr. Lamereaux requested a motion to hire Paul Williams as the part-time Zoning Officer at \$16/hr. for 20 hours per week. A motion was made by Mr. Brown and seconded by Mr. Olejnick. Vote was 5-0 in favor.

Liaison Officer: The Liaison's report was presented by Mr. Lamereaux.

-A progress report on Maltby Avenue and Talcott Street corners was requested. Mr. Olejnick shared that he spoke to Pennsy and the work should be completed within a few weeks.

-Dennison Street was paved recently by the state and is in great shape.

-There is a possible survey of Borough property on the mountain needed. Brdaric Excavating may be encroaching on Borough property.

-The resident on Mountain Street & the road leading to St. Nick's Cemetery is encroaching on Borough Property. Ken Sheffler, Code Enforcement Officer, shared that after review maps with Mr. Breznay it was determined the property in question does belong to Swoyersville Borough. Mr. Sheffler will be visiting the resident to discuss the issue.

Police Department: Mr. Brown read the police report for May 2022 which included a summary of Crossing Guard hours. There was a total of 197 service calls, 4 motors vehicle accidents, 4 Borough ordinance violations and 13 School Crossing Guard bus stop duty. Fees collected totaled \$428.38. A motion was made by Mr. Olejnick to place monies in the appropriate fund and seconded by Mr. Cwalina. The vote was 5-0 in favor.

Street Department: Mr. Olejnick made a motion to hire Bradley Gill as summer help, pursuant to a successful background check, at \$13.00/hr. for 300 hours. Motion was seconded by Mr. Cwalina. Vote was 5-0 in favor.

-Mr. Olejnick made a motion to purchase shirts for Bradley Gill not to exceed a total of \$50.00. Motion was seconded by Mr. Cwalina. Vote was 5-0 in favor.

-Mr. Olejnick presented the cost involved for paving Jackson Street from Oliver Street to the Luzerne line. The project would cost \$6,800 and does not include creating handicap access on the side of Jackson that is currently does not exist. Mr. Zambito, Jackson Street, voiced a concern regarding the need to establish handicap access for both sides of the street. Mr. Olejnick will speak to Mike Amato about additional work the street may need will reach out to Pennsy & ask for a bid for the creation of handicap access on the side of Jackson that currently has none.

-Mr. Olejnick asked for a slow stencil to be painted at Church & Dana Street and on Watkins Street between Shoemaker and Wesley.

Fire Department/Recreation Board: Mr. Cwalina reported there were a total of 53 ambulance calls in May 2022. In addition to the ambulance calls, EMS assisted with other types of emergencies throughout the Borough in May 2022. Mr. Cwalina presented a report received from Station 279 & reviewed the types of emergencies seen during the month of May 2022. No report noted for Maltby.

-Mr. Cwalina requested a motion to remove Melissa Picolo and Espy Williams from the Rec Board due to no participation in meetings that have been held. Motion was made by Mr. Brown and seconded by Mr. Lamereaux. Vote was 5-0 in favor.

-Mr. Cwalina requested a motion to accept the resignation of Ed Cyprich from the Rec Board. Mr. Brown made a motion to accept the resignation and seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mr. Cwalina made a motion to advertise to fill the vacancies on the Rec Board. Motion was seconded by Mr. Brown. Vote was 5-0 in favor.

-Mr. Cwalina shared two free upcoming Recreation Board events: 6/17/22 @ 6:30 pm – Pollinator Party in the Park being held at the Tripp Street Softball Field. Residents can register by contacting Swoyersvillepark@gmail.com; 7/8/22 @ 6:30 pm – Christmas in July Goat Yoga session being held at the Roosevelt Softball Field. Event is hosted by the Swoyersville Recreation Board and Buttinhead Farms. More information can be found on the Swoyersville Parks and Recreation Facebook site.

-Mr. Cwalina reviewed the proposed "Citizen's Complaint Against Swoyersville Borough Employees (excludes Police Department) policy that would outline the Borough's process to follow when there is a citizen complaint involving a non-uniformed borough employee. Mr. Lamereaux asked if there is a possibility of having one policy that addresses both non-uniformed and uniformed (Police Department) employees instead of two which may be different.

Mr. Keating noted that the Policy Department policy cannot be changed as it falls under the union contract. Motion and vote to approve the proposed policy will be tabled until it can be compared to the Police Department policy/process and discussed further.

Mayor Concert: -Mayor Concert would like to see the parking situation on Dana and Simpson Streets during baseball games is addressed. Mayor Concert proposed that from the intersection, "No Parking Signs" be placed 30 feet from the easterly side of Simpson Street and then also 30 feet on the southern end of Dana on the Northern side of the street. Area was evaluated by Chief Castner who also recommended the same to address the parking situation. In addition, the Street Department will place an "Opposing Traffic Does Not Stop" sign under the current stop sign coming down Simpson Street to Davidson.

A motion and vote are requested to amend the parking ordinance for that area. A motion was made to amend the ordinance by Mr. Olejnick and seconded by Mr. Lamereaux. Vote was 5-0 in favor.

-Mayor Concert shared that he received a letter from Mr. Levenoskie, 105 Park Avenue, which contained a lot of clever ideas surrounding how to address the parking of trailers, motor homes and boats on streets within the Borough. Mayor Concert provided a copy of the letter to all council members for review and discussion.

-Mayor Concert shared several upcoming events to include Bingo in The Park (June 24); Strawberry Social (June 25) and the Fall Festival. If anyone would like to view the figures for the Strawberry Social, please just ask and Mayor Concert will make them available.

-Mayor Concert would like to see the benefits expanded for Police Department new hires. Council President, Mr. Keating, called an Executive Session at 7:02 pm to discuss the issue. Executive Session ended at 7:20 pm. A motion was made by Mr. Olejnick to change/expand the healthcare benefits for new police hires and seconded by Mr. Cwalina. Vote was 5-0 in favor.

-Mayor concerted requested a motion and vote to schedule and advertise a Civil Service examination for the Police Department. A motion was made by Mr. Brown and seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mayor Concert received a complaint about stagnant water that has built up with the Townsend Avenue ponding basin reconstruction project. Mr. Breznay, Borough Manager shared pictures were taken and shared with Mr. Collella at WVSA. An Engineer was sent to review the issue and they will regrade things and pitch the area to decrease the standing water.

There are also some pine trees in the Loveland playground that are ready to fall down. Dave Hampton will obtain a bid to have them removed.

-Mayor Concert proposed that Council consider placing cameras or other motion detection devised at Roosevelt Field to help protect the field from vandalism. There have been street signs ripped out in that area along with picnic tables damaged and outhouses tipped over. Mr. Breznay will contact the Borough's IT team to inquire about the request.

-Mayor Concert shared that if there are any complaints regarding fireworks this 4th of July, residents need to call 911, Mr. Breznay will place the firework ordinance online for residents to view.

-Mayor Concert welcomed back Officer Owen. Also, a compliment was received for Officer Wolinski from a family who was grateful for his assistance and compassion exhibited during a situation that was going on.

-Mayor Concert shared that he received a tire issue complaint on the back road at a local business. Ken Sheffler, Code Enforcement Officer is involved and got the ball rolling on addressing the issue.

Attorney Yeager:No report.

ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-Mr. Lamereaux provided follow up on the property donated by the Barilla family to the Borough. Mr. Lamereaux spoke to Mike Amato and also again followed up with Liz Savage at the Department of Justice. There continues to be a difference in information Mr. Lamereaux is receiving from both parties. A document was provided by Ms. Savage along with her phone number which will be provided to Attorney Yeager to review.

MEETING OPENED TO THE PUBLIC

-Ms. Lugar-Stas, 932 Main Street would like a follow up on the complaint that she filed last year that involved a Borough employee. Mr. Olejnick shared a few details regarding what Council is aware of regarding the complaint. Ms. Stas is concerned as this complaint has not been addressed appropriately and timely. Mr. Olejnick did share that Council is in process of establishing a policy surrounding the handling of complaints involving Borough employees. Mr. Lamereaux requested a copy of the complaint as he was not a member of Council at the time it was originally presented. Ms. Stas will provide Mr. Lamereaux with a copy of the letter. Ms. Lugar-Stas would like to see a conclusion reached regarding her complaint.

-Dave Purcell, 6 Sidney Street- An inquiry is being made regarding the ability to purchase property which is now an alley way behind his residence that goes to behind Creek Street. The area referenced is not utilized by the borough and has been empty for years. He would like to purchase the section behind his home which is approximately 10 feet. Attorney Yeager shared alleyways have never been sold in Swoyersville. His recommendation is to Council is to not consider selling the alleyway; however, it is their decision to make. Mr. Brown shared that the area & maps do need to be looked and further discussion will need to occur with Attorney Yeager prior to Council considering a vote.

-Mr. Zambito, Jackson Street -requested follow up information on the garbage issue located at 161 Oliver Street that he presented to Council. Mr. Brown did obtain a copy of the dumpster ordinance that is in place for Edwardsville and a copy will be provided to Attorney Yeager for review. Council will be discussing the issue further to make sure that the Borough approaches the issue of dumpsters legally. Mr. Zambito is asking why it is taking so long as he has brought this issue up originally 3 years ago and feels Council should try harder to address the issue.

-Kathy Breznay, Church Street -the Tunkhannock Kiwanis Club would like to donate a tree to the Swoyersville Kiwanis Club in honor of our 70th anniversary. The Kiwanis Club would like to place the tree in Loveland Park. With the Mayor sharing that there are trees that are dying and need to be removed from the park, the Kiwanis Club will wait and work with the Borough to determine if the area is a good area to plant the new tree. A determination can be made together as to which type of tree would be best choice to plant in that area.

-Frances Levenoskie, 105 Park Avenue, shared that she hopes that Council is considering a better and clearer ordinance to address the storage of vehicles on streets in the Borough. Ms. Lebanosky presented her concerns and experience with the parking/storage of diverse types of vehicles on her street. Kingston, Forty Fort and Luzerne have ordinances prohibiting parking on their streets and asks why Swoyersville cannot have the same. Mayor Concert did acknowledge the letter again that Ms. Lebanosky sent to him with suggestions on how to address the parking/storage issues. He shared that Council members did receive a copy of the letter also.

-Resident at 101 Park Avenue, Marian - concerns were presented regarding a neighboring resident that has two blocked entrances that could be a fire hazard. The debris that he has stored in his driveway along with his garbage that builds up for weeks at a time can attract rodents. There is a firepit that is not legal, and he burns trash. All of these things affect the value of her property. She feels that the borough can be

more diligent in putting ordinances in place and feels it should be addressed. Mr. Brown questioned if the property being referenced is the same property that was addressed by Ms. Lebanosky. It is the same property, 103 Park Avenue. Mr. Keating shared that Ken Sheffler & or Kyle Castner can be sent out to evaluate the garbage situation.

-Gerry Hovan, corner of Park Avenue & Stock. Recently, a call was to the police regarding a neighbor who came knocking at her door and was irate regarding the parking of the campers on her street (one of which belongs to resident at 103 Park Avenue). There is also an issue with traffic going in and out of Stock Avenue due to vehicles that are parked on the opposite side of these campers/trailers. Residents in the area fear that there is going to be a severe accident resulting from the parked campers. Ms. Hovan would like the campers removed. The campers have been parked there for over two years. Anything that could be done would be appreciated.

-Angelo Grasso, 74 Maltby Avenue – would like to know if there is an ordinance prohibiting blowing of grass into other neighbor yards or across the street creating dust clouds. Also, a neighbor has dead trees that are falling over into other resident's yards. This neighbor will not clean up the fallen trees. Ken Sheffler, Code Enforcement Officer shared that there are no ordinances in place to address trees. If a tree encroaches another resident's property, that resident can cut what encroaches their property. Without an ordinance to address trees, it comes down to a civil matter between residents. Attorney Yeager agreed with Mr. Sheffler. There are ordinances to address high grass. Residents should not blow grass into the street and if seen doing it, they are asked to clean it up.

A motion to adjourn was made by Mr. Keating and seconded by Mr. Brown. Vote was 5-0 in favor. Meeting was adjourned at 7:32 pm. Next meeting will be held on July 5, 2021 at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

William Keating
Council President