

OCTOBER 3, 2022 6:30 PM
REGULAR MEETING OF SWOYERSVILLE BOROUGH COUNCIL

Council President Cwalina calls the meeting to order.

The Pledge of Allegiance was recited.

Roll Call was taken, those present included Mr. Binkley, Mr. Brown, Mr. Christian, Mr. Cwalina, Mr. Lamereaux, and Mr. Olejnick. Also present were Mayor Concert, Gene Breznay, Borough Manager, Attorney Yeager, Solicitor Dave Hampton, Street Dept & Daryl Pawlush, Penn Eastern Engineering.

Mr. Cwalina called an Executive Session at 6:32 pm. Executive Session concluded at 6:53 pm.

Mr. Cwalina welcomed the newest member of Council, Ryan Binkley. Mr. Binkley will be representing Ward 2. Mayor Concert administered the Oath of Office prior to this Council meeting, 10/3/2022.

A motion was requested by Mr. Cwalina to accept the minutes from the September 6, 2022 regular meeting. A motion was made by Mr. Olejnick and seconded by Mr. Lamereaux. Vote was 5-0 in favor. A motion was requested by Mr. Cwalina to accept the minutes from the September 26, 2022 special meeting. A motion was made by Mr. Olejnick and seconded by Mr. Christian. Vote was 5-0 in favor.

Monthly bills totaling \$15,580.82 were presented by Ms. O'Donnell, Council Secretary. Mr. Christian requested clarification for the Vector Enterprises expense of \$75.00. A motion was made by Mr. Christian to approve the monthly bills and seconded by Mr. Olejnick. Vote was 6-0 in favor.

BOROUGH MANAGER'S REPORT

-Mr. Breznay opened and read three (3) bids for the storm water project at the end of Birch Drive.

Bid #1: A bid of \$189,770.00 with a bid bond of 10% was received from JAMES T. OHARA, INC, 205 Old School House Road, Covington Twp, PA 18444.

Bid #2: A bid of \$136,960.50 with a bid bond of 10% was received from LINDE, 118 Armstrong Road, Pittston, PA 18640.

Bid #3: A bid of \$227,940.00 with a bid bond of 10% was received from SIKORA BROTHERS, 110 Nevel Hollow Road, Hunlock Creek, PA 18621.

Mr. Christian inquired if the bids were only for Phase I of the project and if it included a pump. Mr. Breznay confirmed it was only for Phase I and that a pump would not be covered. Mr. Olejnick questioned if the project could be handled by the Borough's Street Department. Dave Hampton, Street Commissioner, feels that he can do a lot with use of the Street Department. Mr. Christian made a motion to table voting on a bid at this time and revisit the issue at the next Council meeting. Mr. Brown seconded the motion. Vote was 6-0 in favor.

-Mr. Breznay requested a motion and vote to spend \$3,000 from the American Rescue Plan Act funds to pay for writing and submission for a \$100,000.00 grant for police body cameras and dashboard cameras. A motion was made by Mr. Olejnick and seconded by Mr. Lamereaux. Vote was 6-0 in favor.

-Mr. Breznay presented three telephone bids for demolition of 330 Tener Street using Borough funds:

Bid #1: A bid of \$12,500.00 was received from Brdaric Excavating, Luzerne.

Bid #2: A bid of \$11,800.00 was received from Stell Enterprises, Plains.

Bid #3: A bid of \$13,000.00 was received from Holena Excavating, Swoyersville.

Mr. Olejnick made a motion to accept the bid of \$11,800.00 received from Stell Enterprises. Motion was seconded by Mr. Brown. Vote was 6-0 in favor. Mr. Breznay will contact Stell Enterprises to inquire as to a timeframe for completion. It is noted that the house condition has worsened.

-Mr. Breznay announced that Swoyersville is participating in an electronic recycling event that will be held on Thursday, October 27, 2022 from 3:00 pm to 6:00 pm. The event will be held at the Luzerne County Soccer Fields, Forty Fort. Swoyersville residents will be able to purchase a tag for \$35.00. There are 36 tags available for sale at the Swoyersville Borough building. Availability will be on a first come first serve basis. It is noted that this event has been advertised.

-Mr. Breznay took a moment to address a concern presented at last month's Council meeting regarding the use a non-borough individual placed through Area on Aging to perform various office duties. Mr. Breznay shared that the Area on Aging works coordinates with many organizations throughout the county who serve as training facilities for individuals. Individuals are placed within an organization to train in various duties with the goal of assisting them to become gainfully employed within the workforce. There is no cost to the organization who hosts the individual. The Area on Aging placement for the Borough does assist with various office duties under the direct supervision of the Borough Manager and Borough Secretary, Mrs. Gavlick. The individual assisting does not take deposits to the bank; she is not bonded.

-Mr. Christian inquired if the position of WVSA representative for Swoyersville was advertised. Mr. Breznay shared that there were a few things that needed clarification regarding the date applications should be submitted by. Date was clarified as November 3, 2022. The advertisement is ready to go.

COMMITTEE REPORTS

Finance: Mr. Lamereaux presented the August 2022 Finance Report. **General Fund:** General Fund information for August 2022 was not included in this meeting. **Liquid Fuels:** beginning checkbook balance: \$132.07; transfers and revenue for month: \$6,100.14; expenses and transfers for the month: \$6,074.48; ending checkbook balance: \$157.73. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$14,435.45; transfers and revenue for the month: \$13790.67; expenses and transfers for the month: \$3,454.71; ending checkbook balance: \$24,771.41. **Solid Waste (Refuse) Collection:** beginning checkbook balance: \$9,730.21; transfers and revenue for the month: \$28,482.20; expenses and transfers for the month: \$13,034.95; ending checkbook balance: \$25,177.46.

Liaison Officer: -No Committee Report given at this meeting.

Police Department: Mr. Brown read the police report for September 2022 which included a summary of any Crossing Guard hours. There was a total of 159 service calls, 3 vehicle accidents and 5 Borough ordinance violations and 2 School Crossing Guard duties. Fees collected totaled \$518.17. A motion was made by Mr. Brown to place monies in the appropriate fund and seconded by Mr. Cwalina. The vote was 6-0 in favor.

Street Department: Mr. Olejnick shared that a complaint received from Hazle Street about garbage and recycling yard waste being put into garbage truck together and not being separated was addressed and handled in the Executive Session called earlier in the meeting.

-Mr. Olejnick requested an update regarding cutting trees in the alley off of East Hall and Hemlock Streets. Dave Hampton shared that the trees will be trimmed this week.

Fire Department/Recreation Board: Mr. Cwalina reported that there were 44 ambulance calls noted in September 2022. Station 239 reported 28 calls and there were 14 paid driver calls.

-Mr. Cwalina shared that the Rec Board Account balance is \$4,030.71. Information regarding deposits made was presented. There was a deposit noted of \$379.32 of which included \$93.92 returned from monies advanced in August. The Flamingo Fundraiser raised \$545.00. Mr. Cwalina shared that the Rec Board is in the second stage of the American Rescue Plan Grant (Luzerne County) application process.

-Mr. Cwalina requested a motion and vote to eliminate the field use fees for any Swoyersville based teams. A motion was made by Mr. Lamereaux and seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mr. Cwalina presented a summary of events planned for October 2022 to include a Halloween Pet Costume Contest, participation in the Mayor's Fall Festival and Trunk or Treat event; Spooky Stories with the Little Library and the board is also looking to host an event along with the Fire Departments to focus on National Fire Prevention month.

Mayor Concert: Mayor Concert presented certificates of recognition to each member of the Police Department and Fire Department for the work that they do protecting the residents of Swoyersville. Council congratulated all those present.

-Mayor Concert shared that the Fall Festival is being held this Saturday, 11 am to 5pm at Roosevelt Field. Every child will receive a free pumpkin. Fire Companies will be attending.

-Mayor Concert presented a letter to Council informing them that he will now be providing marriage services within and or outside of the Borough. A fee of \$150.00 has been set for the service. If fees are received, Mayor Concert will provide Council with a report of activity & funds received.

-Mayor Concert shared that 120 toys have been donated so far for Toys for Tots.

-Mayor Concert reminded Council that a solution needs to be decided upon regarding street parking of vehicles, boats, trailers, etc. throughout the Borough.

-Mayor Concert shared that the floor in the concession stand at Roosevelt needs to be repaired.

Note: Agenda item regarding a motion & vote to advertise for cleaning services at the Borough Building was not conducted at this meeting.

Attorney Yeager: No report presented at this meeting.

ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-Mr. Lamereaux questioned if there was any information on ADA ramps on Jackson Street and Oliver Street? They are still not installed; is there any timeframe set for repair and who will install? Daryl Pawlush, Penn Eastern Engineering, shared that the Water Company & Gas Company have been contacted and Penn Eastern is waiting for them to call back. If they do not receive a response soon, Attorney Yeager will be asked to draft a letter that can be forwarded to address the issue further.

-Mr. Christian introduced Martha Kahan, President – No Nonsense Neutering. Ms. Kahan conducted a presentation of the trap/neuter and return (TNR) program for feral cats within the Borough. An Informational packet and brochure were provided to Council members. Ms. Kahan explained the benefits of a long term, effective cat management program; how TNR works; fee costs for the Borough which would include a grant to offset the cost. The grant would cover the first \$25.00 of a \$40.00 fee for 50 (fifty) cats which would result in a final cost of \$15.00 per cat. Mr. Christian inquired if there are any set timeframes involved regarding the grant. Ms. Kahan shared that there are no timeframes set. The Borough would be invoiced based on the number of vouchers used and if all 50 are used, a request can be made for more. This service would be available to residents within the Borough who would need to provide identification. There is also the availability of online appointment scheduling. No Nonsense Neutering is located in Plains, PA on Gallagher Drive.

Mr. Christian made a motion to approve entering into the TNR program with No Nonsense Neutering upon successful review of the terms by Borough Solicitor Attorney Yeager. Mr. Lamereaux seconded the motion. Vote was 6-0 in favor. Mr. Christian thanked Martha Kahan for attending the Council meeting to present the program. Mr. Christian suggested a committee be formed with volunteer residents from the Borough who can assist with the program process, assist residents if needed, etc. The following residents volunteered and will meet in the near future: Nancy Nice, John Williams, William Hooper, Julie Derwin.

-Mr. Christian made a motion to amend the process voted on last month for the Borough Check signing process. The amended process would require the Borough Council President and Borough Council Vice President to co-sign all checks. In the absence of either of the two parties, Councilman Olejnick will serve as a third designee that can co-sign checks. Mr. Olejnick seconded the motion. Vote was 6-0 in favor.

-Mr. Brown made a motion to approve a conditional offer of employment for a police officer position to Morgan Schaszberger pending success completion of remaining test and exams. It was shared that Ms. Schaszberger did complete the civil service test and the Committee is awaiting test scores. Mr. Olejnick seconded the motion. Vote was 6-0 in favor.

-Mr. Brown made a motion of advertise in the paper and on social media a notice to hire another school crossing guard at a rate of \$12.00 per hour. Mr. Christian seconded the motion. Vote was 6-0 in favor.

-Mr. Binkley reiterated Mayor Concert's concern for improper use of the handicap swing by children. The Recreation Board did receive concerns that the swing may be damaged if improper use continues. There is a need to place signs addressing the use as soon as possible. Mr. Breznay was not sure what had happened to the signs so he will be reaching out to the vendor to inquire about the proper wording needed and will have signs made up. Mr. Olejnick made a motion to approve purchase of signs once wording is obtained. Motion was seconded by Mr. Binkley. Vote was 6-0 in favor.

MEETING OPENED TO THE PUBLIC

-Mr. Levandowski inquired about the status of the parking of trailers, boats, and camper problems that have been discussed at several previous Council meetings. Mr. Brown shared that there should be something drawn up by the end of the month that will address the issue. Attorney Yeager shared that ordinance examples and further questions will be reviewed at the November 3, 2022 work session that is scheduled.

-Frances Levandowski – Park Avenue, shared her frustration on the amount of time that Council is taking to address the issue of trailers and other recreational vehicles being parked long term on Park Avenue. She feels that an ordinance is needed as soon as possible to address the issues as it has been a topic of concern/discussion for several months now. Ray Mackiewicz, Zoning Officer will take a look at the issue on Park Avenue.

-Ed Connor – Mr. Conner questioned the tar and chipping project that PennDOT is conducting on the back road (Main Street). Mr. Breznay provided information regarding the project and did share that he has received several complaints about the amount of debris that is being thrown up by cars. He noted that this is not a Borough project as Main Street is a State Road. Information provided by PennDOT is that the tar & chipping helps to preserve the condition of the road.

-Tony Zambito – Jackson Street, Mr. Zambito shared that he agreed with the concerns presented regarding the parking concerns expressed by other residents at this meeting. He shared that if residents do not have a driveway to park boats, campers, trailers in they should be considerate to their neighbors and pay to have them stored somewhere. Mr. Zambito agrees that it is taking Council too long to resolve the issue. Mr. Brown and Attorney Yeager shared that information received regarding ordinances that exist in other towns has been obtained and is being reviewed. The issue will be discussed at the November 3, 2022 work session.

-Mr. Breznay shared that the radar signs are in. Dave Hampton will coordinate placement of the signs with the Street Department.

A motion to adjourn was made by Mr. Lamereaux and seconded by Mr. Olejnick. Vote was 6-0 in favor. Meeting was adjourned at 8:12 pm. Next meeting will be held on November 7, 2022 at 6:30 pm.

Barb O'Donnell
Borough Council Secretary

Pete Cwalina
Council President