

MAY 1, 2023 - 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. Christian, Mr. Cwalina, Mr. Lamereaux and Mr. Olejnick. Councilman Brown & Attorney Yeager were noted as absent. Also present were Mayor Concert; Gene Breznay, Borough Manager; Dave Hampton, Street Commissioner; Ray Mackiewicz, Zoning Officer and Barb O'Donnell, Council Secretary.

A motion was requested by Mr. Cwalina to accept the minutes from the April 3, 2023 regular meeting with the following amendment made & reflected in May's meeting minutes: Upon further review of the Pizza Bella expense approved at the April 2023 meeting, it was found that Pizza Bella provided pizza free of charge for Borough employees. No expense was incurred by the Borough. A motion was made by Mr. Olejnick to approve the April 3, 2023 meeting minutes with the noted amendment and seconded by Mr. Binkley. Vote was 5-0 in favor.

Monthly bills totaling \$22,661.24 were presented by Ms. O'Donnell, Council Secretary. A motion was made by Mr. Christian to approve the monthly bills and seconded by Mr. Olejnick. Vote was 5-0 in favor.

PUBLIC COMMENTS

1. Mrs. Cindy Leptuk, 481 Church Street shared a complaint regarding a neighbor at 491 Church Street operating a tree cutting business out of his home. Initial review by Ray Mackiewicz, Zoning Officer indicated that there was not a registered business; however, when conducting a search on-line several Council members noted that the address does show up as a Registered Business. Ray Mackiewicz, Zoning Officer will investigate further and will follow up with Attorney Aritz regarding the issue.
2. Jodi Shultz, Washington Street, West Wyoming, presented a concern regarding overgrowth of bushes/stumps/trees along the edge of her property which bumps up against the edge of the Dennison Street Cemetery located in Swoyersville. The overgrowth is an eyesore and is preventing her from being able to place a fence on her property. Ray Mackiewicz, Zoning Officer, will review the issue.
3. Michelle Soreth, Shoemaker Street requested Council to consider adopting a light ordinance for Swoyersville. Ms. Soreth shared a concern regarding her next-door neighbor who has a very bright outdoor light that shines directly into her bedroom window the entire night. Ray Mackiewicz, Zoning Officer, will research light ordinances that exist in surrounding towns and follow up with Council.
4. Tony Zambito, Jackson Street requested a resident complaint form. Ray Mackiewicz, Zoning Officer, provided Mr. Zambito with a copy.

5. Martha Dugalís, Washington Avenue, West Wyoming shared a concern regarding a steel pipe that encroaches onto her backyard property located on Bohac Street, Swoyersville. The pipe extends approximately 4-5 feet into her back yard and creates a safety concern. There is also a concern regarding the buildup of broken-down vehicles/junk/trash on the property that creates an eyesore. Ray Mackiewicz, Zoning Officer is aware of the property. The property is zoned as a business and the items noted by Ms. Dugalís are part of the business. Mr. Mackiewicz was not aware of the pipe encroachment and will visit the business to address. Mr. Mackiewicz shared that the business owner is purchasing large shipping containers that will assist to block the view of items that have built up on the property.
6. John Majewski, Church Street, shared with Council in support of Mr. & Mrs. Leptuck, shared information confirming the same concerns/issues: vehicles, dump truck noise (early am), wood chipping/hauling. It is noted that the issues have been occurring for some time.
7. Mr. Yankay, Kossack Street shared that he noted his name and street spelled incorrectly in the February Council minutes. Correct spelling of each was provided. Mr. Yankay also shared that the minutes did not reflect what he presented to Council verbatim. Ms. O'Donnell, Council Secretary, shared that Council minutes are not a verbatim transcript which is a word for word transcription of a recording. Verbatim transcript is not a requirement for Borough Council minutes. Mr. Yankay requested a copy of that direction in writing.
8. Craig Edwards, 502 Church Street, also shared with Council that he would like to also confirm all that was presented regarding 491 Church Street.

An Executive Session was called by Council President Cwalina at 7:15 pm. Executive Session ended at 7:20 pm.

BOROUGH MANAGER'S REPORT

-Mr. Breznay shared that the Borough did receive the \$200,000 Casino Grant for repairs to the Borough Building. A bid was prepared and advertised. There was only one bid received. Andrew Pasonick, Penn Eastern Engineering, recommended that with only one bid received, the bid should be rejected/returned, and a new bid advertised breaking it into three (3) different contracts (1-Roofing, 1-Windows, 1-HVAC Unit). Mr. Binkley questioned if the bid deadline could just be extended. Mr. Pasonick shared that extending the original bid deadline was not an option and advertising again with 3 contracts/contractors outlined is the best recommendation. Mr. Olejnick made a motion to reject the current (one) bid received and to advertise again as recommended. Mr. Lamereaux seconded the motion. Vote was 5-0 in favor.

-Mr. Breznay requested a motion and vote to pay the L-Tron bill for the Police Department thermal printers and supplies utilizing funds from the American Rescue Plan Act. A motion was made by Mr. Christian and seconded by Mr. Binkley. Vote was 5-0 in favor.

-Mr. Breznay reported that the Luzerne County Paper Shredding Event will be held on May 13 2023, from 9:00 am to 12:00 noon at the back parking lot of the Borough Building. The event is open to Swoyersville residents only and is free of charge.

-Mr. Breznay reported that the Borough was awarded a Community Development Block Grant (approximately \$270,000 for road updating in low to moderate income locations within the Borough. Mr. Amato, Penn Eastern Engineering, will have bid advertised and those received will be opened at the June 2023 Council Meeting. Streets involved in the paving project will include Talcott, Lionel Drive, Hughes, Center, Harradon and Bigelow Streets. Once the bids come in and it is further determined where things are at, the Borough will reach out to Andy Reilly, Executive Director Community Development to inquire if there are any additional funds available as was done last year.

Councilman Christian inquired if there was an update on the issue on upper Warsaw Street. Mr. Breznay shared that Mr. Amato, Penn Eastern Engineering, is still addressing the issue. A surveyor was contacted to evaluate where the road ends and where private property starts. If the section of road involved with the issue is determined to be Borough property, the repair project can fall under the multimodal grant that the Borough will be applying for.

Mr. Christian shared that he needed to leave the Council meeting. An opportunity was provided for all to present questions for Mr. Christian. With no questions brought forth, Mr. Christian exited from the meeting (7:30 pm).

COMMITTEE REPORTS

Finance: Mr. Lamereaux presented the March 2023 Treasure's Report. **General Fund:** beginning checkbook balance: \$48,088.39; transfers & revenue for the month: \$127,215.19; Expenses & Transfers for the month: \$134,639.81; ending checkbook balance: \$40,663.77. **Liquid Fuels:** beginning checkbook balance: \$386.75; transfers and revenue for month: \$11,500.00; expenses and transfers for the month: \$11,669.57; ending checkbook balance: \$217.40. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$6,843.30; transfers and revenue for the month: \$1,048.73; expenses and transfers for the month: \$3,491.58; ending checkbook balance: \$4,400.45. **Solid Waste Collection:** beginning checkbook balance: \$18,110.81; transfers and revenue for the month: \$38,740.25; expenses and transfers for the month: \$13,380.31; ending checkbook balance: \$43,470.75.

Liaison Officer: No report given at this meeting.

Police Department: Mr. Cwalina read the police report for April 2023 which included a summary of Crossing Guard hours. There was a total of 182 service calls, 2 motor vehicle accidents and 3 school crossing guard duty. Fees collected totaled \$675.88. A motion was requested by Mr. Cwalina to place monies in the appropriate funds. Motion was made by Mr. Olejnick and seconded by Mr. Lamereaux. The vote was 4-0 in favor.

-Mr. Cwalina requested a motion and vote to purchase four (4) wireless microphones for the Police Department. The total cost would be \$768.00 with the expense being covered with funds from the American Rescue Plan Act. Mr. Olejnick made a motion to approve the \$768.00 expense using funds from the American Rescue Plan Act. Mr. Bindley seconded the motion. Vote was 4-0 in favor.

Mr. Binkley questioned if solar lights discussed at last month's meeting were purchased for the sign outside of the Police Department. Mr. Hampton reported he will be looking at light options this week.

With Mr. Brown noted as absent, an update on Wyoming Valley Sanitary Authority activities was not provided at this meeting.

Street Department: Mr. Olejnick reminded residents that newspaper/cardboard collections are every other Thursday. May collection dates are 5/4/23 and 5/18/23.

-Mr. Olejnick made a motion to place an advertisement for two (2) summer workers for a total of 300 hours each. Starting date will be set for the beginning of June 2023. The deadline for applications will be May 25, 2023 with the pay rate to be determined. Applicants will need to pass a drug/alcohol test before they can start to work. Mr. Binkley seconded the motion. Vote was 4-0. Mr. Hampton, Street Commissioner, will interview applicants.

-Mr. Olejnick made a motion to purchase 3 shirts for each summer help employee with cost not to exceed \$75.00 total for each employee. Mr. Binkley shared that with a purchase expense for shirts not being an agenda item for this meeting, Council cannot vote to approve or disapprove. Mr. Olejnick rescinded his motion to purchase shirts and the motion & vote will be added to the June 2023 meeting agenda for consideration.

-Mr. Olejnick asked Dave Hampton, Street Commissioner, to present a proposed change surrounding the Cintas Uniform Agreement. Mr. Hampton proposed that the Borough consider giving a 90-day notice to end the Cintas Uniform Agreement and consider allowing the Street Department to order uniform clothing (tee shirts, pants, long sleeve shirts, boots) from a local business/store. Mr. Hampton believes this would result in a cost saving for the Borough. Mr. Cwalina requested that Mr. Hampton obtain prices so a cost comparison can be conducted. Kathy Breznay, Church Street, questioned how the clothing would be laundered. Mr. Hampton reported that Street Department employees will be responsible for laundering their own uniforms.

Fire Department: Mr. Cwalina reported that there were 54 Kingston Ambulance calls reported for April 2023. Maltby Fire Department reported 12 calls. A question was raised by a resident as to what was going on with the Swoyersville Fire Department #1 building. Mr. Olejnick shared that it was his understanding that the plan was to convert the building to apartments or townhouses.

Technical/Parks and Recreation - Recreation: Mr. Binkley reported that the Recreation Board met on 4/19/23. The next meeting is scheduled for May 17, 2023 at 6:00 pm. The Board's account balance is \$3,583.26. A clean up of the concession stand at the softball field was completed.

-Mr. Binkley recently attended a training session related to the Luzerne County Grant monies. Education was provided regarding the process of uploading required documents into a folder that is established online. After documents are submitted, the County will review and grant execution will be the next step.

-Mr. Binkley reported that a list of safety concerns surrounding the baseball field was provided to the Recreation Board on behalf of Legion baseball. The Board discussed the concerns and will be getting together with the group to discuss the concerns further before the season starts.

-Mr. Binkley presented a summary of upcoming Parks & Recreation events: Yoga in The Park, May 10, 2023 at 6:00 pm at the softball field, Mother's Day Paint & Park, May 20, 2023 at 12:00 noon at the softball field, and the Swoyersville Wing Fling – July 29, 2023 at the softball field (interested vendors, wing or non-wing) can reach out to Recreation Board via their face book page). A thank you was extended to

Kevin's Auto Repair Service for becoming the Board's first annual event partner. Kevin's will be sponsoring and assisting with events through the year.

-Mr. Binkley made a motion to start the process of approving changes to the By Laws of The Swoyersville Borough Recreation Board. A copy of the Bylaws with proposed changes was provided to all Council members. Motion was seconded by Mr. Lamereaux. Vote was 4-0 in favor.

Technology: Mr. Binkley shared the ECode 360 portal should be available to the public within the next 2-3 weeks. Residents will be able to search online from a computer or mobile device for any ordinance that is in place for Swoyersville. In addition, the Swoyersville Borough website will be reviewed and updated to make sure information is current. An ECode portal link will also be available on the website.

-Mr. Binkley provided an update on the Go Gov Mobile Alert Application. A soft launch is planned for this evening. The app will pull from the Borough website. Mayor Concert questioned if others will be trained on the application. Administrative functionality exists and others can be added & educated. Go Gov will be assisting with marketing and social media functions. A demonstration of the application will be planned for a future Council meeting.

-Mr. Binkley reported that with no applications received for the Junior Council program, advertising should restart again. The program provides an opportunity for a Swoyersville high school or college student to become involved with local Borough government. Anyone interested should reach out to the Borough Manager, Gene Breznay and submit an application/letter of interest. Applications received will be reviewed at the June 2023 Council meeting.

Attorney Yeager:No report provided.

Mayor Concert:Mayor Concert thanked the Police Department for the amazing & professional job they do for the Borough of Swoyersville. A thank you was also extended to the Savage Family who went above & beyond during a recent incident near Milbre Street.

-Mayor Concert thanked all those who attended/participated in the Bumper Bunnies event. It was an amazing day. The following community events are coming up: Polka on the Corner, May 20, 2023 and Community Yard Sale, June 3, 2023 – 8:00 am to 2:00 pm.

-Mayor Concert shared that Bob White has offered to come and take a look, along with Gene Breznay, Borough Manager, at the Borough sound system to see what can be done to improve the system. Mr. Breznay shared that the system is noted to be over 15 years old with microphones only being 1st generation.

-Mayor Concert thanked Councilman Dave Lamereaux for the chunks of coal donated. The coal is directly from the Atlantic Carbon and Janesville sites. Mayor Concert also thanked Council Joe Olejnick for offering to provide the masonry work for the monument that is planned.

-Mayor Concert followed up with Kathy Breznay, Swoyersville Kiwanis Club, regarding donation of a tree to replace the damaged tree planted in honor of Mr. Brominski. Ms. Breznay confirmed that the club will be donating a tree.

-Mayor Concert spoke to the mayor of Forty Fort regarding the truck traffic on Durkee into Swoyersville and the issue of the trucks getting stuck on the railroad tracks. The Forty Fort Mayor will bring the issue of prohibiting tractor trailers from using Durkee to enter Swoyersville to his Council meeting for discussion.

-Mayor Concert reported that several property issues are still being addressed by Ray Mackiewicz, Zoning Officer on Simpson, Shoemaker and Main Street. Mayor Concert asked Mr. Mackiewicz to provide a monthly report to Council that will share areas that are being addressed by the Zoning Officer throughout the month. Mr. Lamereaux thanked Mr. Mackiewicz for all that he has done and feels that his report will help organize Council awareness of what is being addressed in the Borough.

-Mayor Concert shared that the 5th Grade Parade through town will be held on 5/19/23 between 4:00 pm and 5:00 pm.

ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-Ms. O'Donnell, Borough Council Secretary provided a follow up to the inquiry presented by Mr. Yankay, Kossack Street, earlier in the meeting regarding verbatim transcription requirements for council meeting minutes. Mr. O'Donnell provided the following information for all present – According to the Roberts Rules of Order and the Sunshine Act, Council minutes are a record of what was done and not what was said. They are a summary of discussion and not verbatim word for word. Ms. O'Donnell also share that reference to this information can be made online by searching the references above.

MEETING OPENED TO THE PUBLIC

Mr. Cwalina opened a second opportunity for the public to approach Council.

With no further issues or comments, Mr. Cwalina requested a motion to adjourn the meeting. A motion was made to adjourn by Mr. Olejnickand seconded by Mr. Binkley. Vote was 4-0 in favor. Meeting was adjourned at 7:45pm. Next meeting will be held on June 5, 2023 at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

Pete Cwalina, Jr.
Council President