

JULY 3, 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. Brown, Mr. Cwalina, and Mr. Olejnick. Council member Christian & Lamereaux were noted as absent. Attorney Yeager, Borough Solicitor, was 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.

Council President Cwalina and Council members presented Gene Breznay, Borough Manager, with the David E. Carmen Award. The award is named in honor of David E Carmen who serviced Elkland Borough as a council member and represented the Pennsylvania State Association of Boroughs (PSAB) as President. The PSAB award is given to mayors, council members, secretaries, managers, and treasurers who have completed 35 or more years of service. Mr. Breznay is being honored for his 35 years of service to the Borough of Swoyersville. Mr. Breznay thanked Council for all the support received.

Bids were opened for the following Borough projects:

1. **2023 CDBG Pave Project** – Pennsy Supply submitted a bid of \$502,229.00 with a 10% Bid Bond. Stell submitted a bid of \$616,276.00 with a 10% Bid Bond. American Asphalt submitted a bid for \$649,810.00 with a 10% Bid Bond.
2. **2023 LSA Municipal Parking Log Improvement Project** – Pennsy Supply submitted a bid of \$111,000.00 with a 10% Bid Bond. American Asphalt submitted a bid of \$110,350.00 with a 10% Bid Bond. Stell submitted a bid of \$99,420.00 with a 10% Bond Bid.
3. **Swoyersville 2023 Municipal Building Upgrades Project (3 Contracts – Roof, General Construction & HVAC Construction):** For Contract #1 – Roof Construction – Hadley Construction submitted a bid of \$202,000.00 with a 10% Bid Bond. Detwiler Roofing submitted a bid of \$272,500.00 with a 10% Bid Bond. Contract #2 – General Construction – Champion Builders submitted a bid of \$49,200 with a 10% Bid Bond. Hadley Construction submitted a bid of \$52,143.00 with a 10% Bid Bond. Contract #3 – HVAC Construction – Fox Brothers submitted a bid of \$26,400.00 with a 10% Bid Bond.

Mr. Breznay shared that before moving to motion and vote by Council, it is recommended all the bids be reviewed further by Penn Eastern Engineering.

A motion was requested by Mr. Cwalina to accept the minutes from the June 5, 2023, regular meeting. A motion was made by Mr. Binkley to approve the June 5, 2023, meeting minutes. Motion was seconded by Mr. Brown. Vote was 5-0 in favor.

Monthly bills totaling \$24,806.48 were presented by Ms. O'Donnell, Council Secretary. Mr. Brown made a motion to approve the monthly bills and seconded by Mr. Olejnick. Mr. Binkley requested clarification of the Biros and General Code Publishers expense. Mr. Binkley addressed the Luzerne Lumber expense and reported that the Recreation Board had planned to cover the portion of Luzerne Lumber expenses that were a result of work performed at the Borough parks/playgrounds with funds that were raised from the recent Car Show event. Vote resulted in 4-0 vote in favor of paying the monthly bills using Borough funds except for the Luzerne Lumber expenses relating to park/playground repairs. Park/playground related expenses (Luzerne Lumber) will be paid by use of Recreation Board funds. Mr. Breznay will break out the park/playground expenses and will initiate payment for those costs utilizing Recreation Board funds.

PUBLIC COMMENTS

1. Mark Nenichka, Brook Street, thanked Council for their efforts in getting Brook Street paved. He did note that the paving was completed; however, it will be affected when the ADA ramps are installed later this year. Mr. Nenichka also voiced a concern over what appears to be an access road being constructed from the Dennison Street Cemetery onto Center Street. There was discussion over a year ago regarding putting in an access road from the cemetery to Dennison Street; however, that involved coming out onto a State Road and approval from the State would be required first. That project never moved forward. Mr. Nenichka believes that it would behoove the Borough to keep an eye on this issue as if an access road goes out onto Center Street, the anticipated traffic increase would be great.
2. Mr. Kolessar questioned any progress involving the property 330 Tener Street. Nothing has been done on the property since February. Mr. Kolessar asks if any information has been received by the Borough regarding the new owners. Mr. Mackiewicz, Zoning Officer, shared that he is not aware of any issues; however, he will check with Mr. Shefler, Code Enforcement, regarding the property.
3. Mr. Zambito, Jackson Street, thanked Mr. Olejnick for the completed paving work on Jackson Street and thanked Council for the new placement of a "Welcome to Swoyersville" sign as you enter Swoyersville from Luzerne. Mr. Zambito requested a follow up on the apartment building located on Jackson/Oliver. Garbage buildup, on the ground and not in containers, continues to be an issue. Mr. Mackiewicz is not aware of who the owners are. Mr. Breznay will check transfer records to see if the owner can be identified.
4. Mr. Yankay, Kossack Street questioned if the Borough audit was completed. He would like a copy of the audit when it is done. Mr. Yankay questioned what the \$40.00 sewer bill that residents receive from Swoyersville Borough receive was used for. Mr. Olejnick shared the multiple reasons behind the bill to include repair of blocked sewer lines and repair of catch basin issues.

BOROUGH MANAGER'S REPORT

-Mr. Breznay requested a motion and vote to approve a resolution for submission of a \$646,718.07 multimodal grant for paving twelve roads next year. A motion was made by Mr. Binkley and seconded by Mr. Olejnick. Vote was 4-0 in favor.

COMMITTEE REPORTS

Finance: Mr. Olejnick presented the May 2023 Treasurer's Report. **General Fund:** beginning checkbook balance: \$55,838.96; transfers & revenue for the month: \$382,079.50; Expenses & Transfers for the month: \$319,830.99; ending checkbook balance: \$118,087.47. **Liquid Fuels:** beginning checkbook balance: \$161.70; transfers and revenue for month: \$7,900.28; expenses and transfers for the month: \$7,758.37; ending checkbook balance: \$303.61. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$1,875.28; transfers and revenue for the month: \$10,244.14; expenses and transfers for the month: \$10,071.55; ending checkbook balance: \$2,047.87. **Solid Waste Collection:** beginning checkbook balance: \$22,118.90; transfers and revenue for the month: \$22,349.93; expenses and transfers for the month: \$35,003.08; ending checkbook balance: \$9,465.75.

Liaison Officer: Mr. Cwalina requested a motion and vote to renew the No Nonsense Neutering program. 50 vouchers were noted as used. With each voucher used, a \$15.00 fee is billed to the Borough. There is no cost to Swoyersville Residents. An additional fifty vouchers will be provided with the renewal. A motion was made by Mr. Brown and seconded by Mr. Olejnick. Vote was 4-0 in favor.

Police Department: Mr. Brown presented the Police Department report for June 2023 which included a review of Crossing Guard hours. There was a total of 180 calls for service, seven motor vehicle accidents and one school crossing guard duty. Fees collected totaled \$114.48. A motion was made by Mr. Brown to place monies in the appropriate funds. Motion was seconded by Mr. Binkley. Vote was 4-0 in favor.

Mr. Binkley questioned if there was anything in the agreement for Crossing Guards that covered code of conduct/ reflective vests, etc. Mr. Binkley asked if the Borough could put something together before the new school year that can be signed if needed. Mr. Breznay will follow up.

Street Department: Mr. Hampton, Street Commissioner, provided Council with information regarding potential cost savings (approximately \$1,500) if the Borough moved to end the contract with Cintas and allow the Street Department to purchase uniform items from a local retailer. Mr. Olejnick made a motion to approve having Swoyersville Borough end its agreement with Cintas. Motion was seconded by Mr. Binkley. Vote was 4-0 in favor.

Fire Department: Mr. Cwalina reported that there were 18 ambulance calls reported for June 2023. Mr. Cwalina shared a pending resignation of one part time firetruck driver. Mr. Cwalina requested a motion to advertise for a part-time firetruck driver when the position officially becomes open. A motion was made by Mr. Brown and seconded by Mr. Olejnick. Vote was 4-0 in favor.

Technical/Parks and Recreation: Mr. Binkley made motion to accept the resignation of Kelly Connor from the Swoyersville Recreation Board, effective immediately. Mr. Binkley thanked Ms. Connor for her dedication to getting the Recreation Board back up and running. The motion was seconded by Mr. Olejnick. Vote was 4-0 in favor. Council extended a thank you for Ms. Connor's service to the Borough.

Mr. Binkley noted that there are currently two open spots on the Recreation Board. With three applications received, the Board is still reviewing the applications and will initiate the interview process to present those chosen at the July Council meeting.

-Mr. Binkley reported that the Recreation Board met on 6/21/23. The Recreation Board account total as of 5/17/23 was \$5,913.33 which includes funds received from vendors and sponsors of the Wing Fling and \$130.00 raised from the Paint in the Park event. The next General Meeting will be held on 7/19/23 at 6:00 pm.

-Mr. Binkley shared that members of the Rec Board will be attending the 2023 Wyoming Valley Parks and Rec forum on 7/20/23 at the Exeter Township Municipal building.

-Mr. Binkley shared that the proceeds from the Car Show held on 6/17/23 totaled 577.00 and as shared earlier in the meeting will be allocated to expenses incurred from park repairs.

-Mr. Binkley shared the following events being held in June & July: Wing Fling is set for 7/29/23. The board is still accepting applications for vendors. Interested vendors can send a message on the board's face book page or email Swoyersvillepark@gmail.com. 07/5/23 – Yoga in The Park (Loveland). 7/3/23 – Yoga in The Park (Roosevelt Baseball Field). "You've Been Flocked" Flamingo fundraiser continues - \$25.00.

-Mr. Binkley extended a thank you to the Street Department for repairing, cleaning, and painting the softball concession stand bathrooms.

-Mr. Binkley reported that the "My Swoyersville" app is up and running. The application can be downloaded from Apple Store or Play Store. It provides information about Swoyersville events; delays/changes in garbage/recycling collections and notice of special events being held. The Ordinance Portal is up and running with no log in required @ code360.com. Online borough ordinances are available on the app and available for public viewing through the Swoyersville Borough Website.

-Mr. Cwalina shared a concern regarding the social media comments occurring on several of the Swoyersville related sites. Both Mayor Concert and the Recreation Board have stepped up and held a lot of events for the residents of Swoyersville. Mr. Cwalina encouraged residents who may have a concern or complaint to come to a monthly meeting and voice opinions/give suggestions so that Council can have an opportunity to better understand issues and have and properly address the concern or complaint. A resident can also write to the Borough if unable to come to a meeting.

Attorney Yeager: No report provided.

Mayor Concert: Mayor Concert mentioned an error that was noted on the Borough calendar for 7/3/23. The Borough building was listed as closed which resulted in some residents not placing their garbage out for pick up. Mayor Concert shared that on Thursday, the Street Department will swing back around and pick up any garbage placed out for those residents scheduled for July 3, 2023.

-Mayor Concert reported that the Coal Miners marker will be placed in the front of the Borough Building. The Borough is currently working with Bednarski Monuments, Exeter on the project.

-Mayor Concert requested an update from Ray Mackiewicz regarding issues at the old Rainbow Jeweler property. Mr. Mackiewicz shared that the issues were addressed (overgrown grass, sidewalks, etc.) and 14 days were provided to the owner to clean up the property. If not addressed, a citation will be issued.

-Mayor Concert shared a concern regarding the old apartment building on Slocum Street. Weeds are high. Mr. Mackiewicz will review and address. In addition, a residence on Simpson Street, with issues addressed previously, currently has high grass and a huge pile of debris on the property that needs to be removed. Ray Mackiewicz will review and address.

-Mayor Concert requested Mr. Mackiewicz to contact the Redevelopment Authority regarding maintenance of grass/weeds at all entrances to the town of Swoyersville. All entrances require grass cutting/maintenance. Mr. Mackiewicz will reach out to the Redevelopment Authority and address.

-Mayor Concert shared information regarding the Up close & Personal Butterfly Exhibit.

-Mayor Concert reported that preparations are beginning for the Swoyersville 125 Anniversary Celebration that will occur in 2024.

-Mayor Concert requested a motion and vote to amend the dumpster ordinance to "renewing permits after 30 days" There is a concern that dumpsters remain in place for extended amounts of time. In addition, the permit should be attached to the dumpster. A discussion was held by Council Members regarding the request. The current ordinance reads "45 days". Mr. Binkley and Mr. Brown shared that the Borough should enforce the 45 days if there is an issue. Mr. Cwalina shared that the Borough's Zoning Officer can begin to monitor dumpster/permits and enforce the 45-day time limit.

-Mayor Concert shared a concern regarding the Mr. Softee ice cream truck that visits Swoyersville Borough. Mr. Softee does not have a permit to sell ice cream within Swoyersville. A permit is required along with background check. Mr. Breznay will look at the ordinance and cost for a permit. Attorney Yeager supports the ordinance and permit required.

ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-No additional comments offered.

MEETING OPENED TO THE PUBLIC

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

-Mr. Nenichka, Brook Street shared that Crossing Guards should be wearing a reflective vest in a bright color such as lime green. The Borough should monitor the wearing of the vest throughout the school year.

-Mr. Kolessar, Tener Street ask how someone would go about placing a handicap ramp in front of their home. Mr. Brown shared that if the ramp is attached to home or being built, a permit would be required. The ramp would need to meet ADA specifications. Mr. Mackiewicz shared that if the ramp is a portable ramp, a permit is not required.

-Mr. Majewski, Church Street, commented on the dumpster that has been present on Shoemaker Street for some time. Where it is placed does obstruct the view on the roadway. He suggests rotating the dumpster during the permit period.

-Mr. Yankay, Kossack asked Council if the Swoyersville was a Sanctuary city and what their opinion was on the issue. Council shared that Swoyersville was not a Sanctuary City. Mr. Brown shared he does not feel it should be.

-Mr. Hampton shared that one of the part time summer helpers has left. The department can allocate the hours to the other summer help positions.

-Mayor Concert shared that Frederick Street is in bad shape and asked if a temporary fix could be considered.

With no further issues or comments, Mr. Cwalina requested a motion to adjourn the meeting. A motion was made to adjourn by Mr. Olejnick and seconded by Mr. Binkley. Vote was 4-0 in favor. Meeting was adjourned at 7:48 pm. Next meeting will be held on August 7, 2023, at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

Pete Cwalina, Jr.
Council President