

**DECEMBER 4, 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, Mr. Lamereaux and Mr. Olejnick. Mr. Christian and Attorney Yeager were noted as absent. Also present were Mayor Concert, Gene Breznay, Borough Manager, Dave Hampton, Street Commissioner, Ray Mackiewicz, Zoning Officer, Police Chief Wolinsky and Barb O'Donnell, Council Secretary.

A motion was requested by Mr. Cwalina to accept the minutes from the November 6, 2023 regular meeting. A motion was made by Mr. Brown to approve the November 6, 2023 minutes. Motion was seconded by Mr. Binkley. Vote was 5-0 in favor.

Monthly bills totaling \$26,686.52 were presented by Ms. O'Donnell, Council Secretary. A motion was made by Mr. Brown to approve the monthly bills and motion was seconded by Mr. Olejnick. Vote was 5-0.

Councilman Binkley appointed two Junior Council members, Jake Dubaskas and Tyler Ruddy, to Council. The Junior Council Member Oath of Office was administered by Mr. Binkley. Council welcomed both junior members and looks forward to their participation.

**PUBLIC COMMENTS**

-Mr. Yankay, Kossack Street, shared a concern regarding the intersection of Mary & Poland Street. Currently there are no signs at the intersection; should a stop sign be considered to help establish who has the right of way? Police Chief Wolinsky suggested a yield sign coming from Mary Street.

Mr. Yankay presented a question regarding Council member job responsibilities to Mr. Lamereaux. Mr. Lamereaux explained what his responsibilities as a Councilman are.

-Kathy Mericle, Kirby Street, presented a concern regarding an obstructed view when turning left at the bottom of Kirby Street onto Main Street. There are multiple cars that park near the corner of Kirby that make it difficult to see oncoming traffic. Police Chief Wolinsky shared that there is a "No Parking to Corner" sign in that area and tickets are issued if cars are found parked. Mr. Brown encouraged Ms. Mericle to call 911 when parked cars are noted and the police will come and address them.

-Anthony Grasso, Maltby Ave., questioned the end date for yard waste collection. Mr. Grasso inquired what can be done if leaves are not cleaned up by residents. Ray Mackiewicz, Zoning Officer, shared that there is no ordinance that requires a resident to clean up leaves on their property. It was noted; however, that when clearing yard waste, residents cannot blow leaves out onto streets. The Street Department will clean up leaves that build up on streets and or street drains.

Mr. Cwalina called an Executive Session at 6:55 pm. Executive Session ended at 7:08 pm.

## BOROUGH MANAGER'S REPORT

-Mr. Breznay requested a motion and vote for adopting the 2024 Swoyersville Borough Annual Budget. It is noted that there is no tax or fee (garbage/recycling/sewer) increase. A motion was made by Mr. Binkley and seconded by Mr. Brown. Vote was 5-0 in favor. Council President Cwalina thanked everyone involved in the annual budget process that resulted in a no tax or garbage/recycling fee increase for Swoyersville residents.

-Mr. Breznay requested a motion and vote a Resolution setting the tax rate at 1.80 mills. There is no increase in the tax rate for 2024. A motion was made by Mr. Olejnick and seconded by Mr. Binkley. Vote was 5-0 in favor.

-Mr. Breznay requested a motion and vote to pass the amended parking ordinance (Chapter 89: Vehicles and Traffic) "Parking is prohibited at all times on the South Side of Shoemaker Street in a southeasterly direction 30 feet in length". A motion was made by Mr. Brown and seconded by Mr. Lamereaux. Vote was 5-0 in favor. Second reading is noted.

-Mr. Breznay requested a motion and vote to approve the Comcast franchise agreement (10 years/standard in industry & throughout Pennsylvania). A motion was made by Mr. Brown and seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mr. Breznay requested a motion and vote to upgrade the sewer software program (maintains sewer records). The program has not been upgraded in about 10-15 years. The upgrade will allow inclusion of rental inspection records, sending bills out & also recording of recycling sticker purchases. Cost of upgrade is \$5,800.00. A motion was made by Mr. Binkley and seconded by Mr. Brown. Vote was 5-0 in favor.

-Mr. Breznay requested a motion and vote to Amend Chapter 69 – Landlord Registration/Occupancy Fee Schedule (1<sup>st</sup> reading). Fee schedule was reviewed by Mr. Mackiewicz, Zoning/Code Enforcement Officer and it was noted that a Business Rental Inspection/Reinspection was also added. Residential Inspection - \$100/Unit Biannual fee with registration included; Residential Reinspection - \$35/Unit; Commercial Inspection - \$100/Unit Annual fee with registration included; Commercial Re-inspection - \$75/Unit. Mr. Majewski, Church Street, shared his opinion Council should table this issue for further discussion before moving to pass the amendment as there is a lot to consider (who will do inspections, consider outsourcing, licensed inspector, etc.). Mr. Cwalina requested further clarification of the fees. Mr. Mackewicz noted a decrease in inspection rates where registration would now be included. A motion was made by Mr. Brown and seconded by Mr. Binkley. Vote was 5-0 in favor.

## COMMITTEE REPORTS

**Finance:** Mr. Lamereaux presented the October 2023 Treasurer's Report. **General Fund:** beginning checkbook balance: \$46,424.78; interest & revenues for the month: \$50,095.13; Transfers from PLGIT for the month: \$75,000.00; Transfers to PLGIT for Month: \$0.00; Expenses for the month: \$136,403.86; ending checkbook balance: \$35,116.05. **Liquid Fuels:** beginning checkbook balance: \$236.07; interest & revenues for month: \$0.23; Transfers from PLGIT for month: \$8,800.00; Transfers to PLGIT for Month: \$0.00; expenses for the month: \$8,770.75; ending checkbook balance: \$265.55. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$28,862.88; interest & revenues for the month: \$9,159.86; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$15,000.00; expenses for the month: \$8,097.12; ending checkbook balance: \$14,925.62. **Solid Waste Collection:** beginning checkbook balance: \$19,844.45; interest & revenues for the month: \$58,350.74; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$6,000.00; expenses for the month: \$11,984.81; ending checkbook balance: \$60,210.38.

-Mr. Lamereaux shared that the agenda item of time clock installation in all departments will be tabled until a later date.

**Liaison Officer:** Mr. Cwalina requested a motion and vote to adopt a benefit package for the Street Department. A motion was made by Mr. Binkley and seconded by Mr. Brown. Vote was 5-0 in favor.

-Mr. Cwalina requested a motion and vote to adopt a benefit package for the Administrative Office. A motion was made by Mr. Olejnick and seconded by Mr. Binkley. Vote was 5-0 in favor.

-Mr. Cwalina noted that \$500.00 (for supplies) was added to the No Nonsense Neutering budget. Mr. Binkley shared that it is reflected in the 2024 budget.

-Mr. Cwalina reported that the agenda item regarding moving the Zoning Officer from part time to full time is being tabled for now.

**Police Department:** Mr. Brown presented the Police Department report for November 2023 which included a review of Crossing Guard hours. There was a total of 138 calls for service and 6 motor vehicle accidents. Fees collected totaled \$393.18. A motion was made by Mr. Brown to place monies in the appropriate funds. Motion was seconded by Mr. Binkley. Vote was 5-0 in favor.

-Mr. Brown made a motion to vote to lease two (2) police vehicles from Koch 33 Ford. Cost is approximately \$105,000.00 and cost is noted as a budget item. Mr. Breznay shared there are two leasing companies being considered and the option with the lower cost will be chosen. It will be a lease to own option, 4-5 year period. Mr. Binkley seconded the motion. Vote was 5-0 in favor.

**Street Department:** Mr. Olejnick made a motion to purchase a 2024 Ford F550 truck for the Street Department from Coccia Ford. Cost is \$66,082.00 which is cost after trade in value of another Street Department truck. Funding will come from the Liquid Fuels account. The motion was seconded by Mr. Brown. Vote was 5-0 in favor.

**Fire Department:** Mr. Cwalina shared there Maltby responded to 14 calls. No other reports available to share.

**Technical/Parks and Recreation:** Mr. Binkley shared there was no Technology report for this meeting. Mr. Binkley did share that with him exiting Council, he encourages Council to continue pushing forward with updating technology & the Borough website. Mr. Binkley shared his appreciation for all of the hard work done over the last year and Council's support received. Council President Cwalina acknowledged that prior to Mr. Binkley being approved & appointed to fill a Council member vacancy, he was an instrumental member of the Recreation Board & when appointed to Council fulfilled the role of technology support. Mr. Cwalina thanked Mr. Binkley for the great job done as a Councilman and all that he has started for the Borough; Council will ensure that it continues.

The Parks & Recreation Board meeting was held on 11/15/23. Recreation Board account balance equals \$7,514.00. Swoyersville Parks & Recreation has wrapped up the winter accessory donations for the Give gLOVEs winter season project. The Committee was able to donate over 400 gloves, hats, scarves and additionally collected 300 sets of dental hygiene products that consisted of toothbrushes, floss and toothpaste. Items were donated to Brandon's Forever Home. The Committee is also working with Forty Fort Borough Council to host the Swoyersville & Forty Fort Scavenger Hunt. Information regarding the event can be found on the Swoyersville Parks and Recreation website. Mr. Binkley thanked residents for survey input received. The survey asked about what residents would like to see as part of park activities and repairs. The next Recreation Board meeting will occur on 12/20/23, 6:00 pm at the Borough Building.

**Attorney Yeager:** No report provided.

**Mayor Concert:** -Mayor Concert shared Decembers events: the Christmas Parade will be held on 12/15/23 at 5pm. The Police Department participated in "No Shave November" & donated \$350.00 to the St. Jude's Children Hospital. Mayor Concert reported that he has discussed with Mr. Mackiewicz, Zoning Officer/Code Enforcement issues that exist with properties on Wesley, Shoemaker, Slocum and Tener Streets.

## **ADDITIONAL COMMENTS FROM BOROUGH COUNCIL**

-Mr. Lamereaux thanked Mr. Binkley for all that he has done to promote the advancement of Technology within the Borough. Mr. Lamereaux thanked the Street Department for addressing the stop/street sign issue at Oliver/Jackson Street when, in his opinion, the issue should have been addressed by the contractor who was paid to repair the ADA ramps.

-Councilmen Lamereaux, Brown & Olejnick, along with Mayor Concert extended a thank you to Mr. Binkley for his service as Swoyersville Borough Councilman and for all the great work he was able to do with moving the Borough ahead with technology. Council looks forward to continuing working with Mr. Binkley and the Recreation Board. He will be missed. Happy Holiday wishes were extended by Mayor Concert and all Council members.

-Mr. Binkley shared that the No Nonsense Neutering committee met on 11/29/2023. The committee is looking for additional volunteers to help. If interested in volunteering, residents can reach out to Gene Breznay, Borough Manager or Councilman Christian for more information. Mr. Binkley shared that he feels the Borough should match the \$350.00 raised/donated by the Fire Department to St. Jude's Children Hospital. Mayor Concert will place a donation on the January 2024 meeting agenda for motion and vote.

-Mayor Concert reported that Swoyersville Welcome Sign located at Main/Dennison St. needs replacement.

## **MEETING OPENED TO THE PUBLIC**

-Mr. Majewski, Church Street, revisited the Landlord Registration/Occupancy Fee Schedule that was discussed earlier. Mr. Majewski referenced the current ordinance and shared that it appears that fees are going up based on amounts outlined in the ordinance. He is concerned about how the increase will affect landlords within the Borough. He suggests that Council look at the issue of new rates closer. Mr. Cwalina shared that as tonight is the first reading of the proposed amendment, Council can review and discuss it further.

-Mr. McDonald, 223 Shoemaker Street, requested that the grass covered alleyway behind Shoemaker be cleared so that he can park his vehicles behind his home. He has currently experienced multiple instances of vehicle damage parking in front of his home on Shoemaker. He shared that he did request that the alleyway be cleaned up/cleared last year; however, nothing has changed. Mr. Cwalina did share that with the first request, other residents with access to the alleyway had objected to opening it up for vehicle access. Mr. Cwalina shared that the request would be evaluated further.

With no further issues or comments, Mr. Cwalina requested a motion to adjourn the meeting. Motion was made by Mr. Brown and was seconded by Mr. Lamereaux. Vote was 5-0 in favor. Meeting was adjourned at 7:33 pm. Next meeting will be held on January 2, 2024 at 6:30 pm.



Barb O'Donnell  
Borough Council Secretary

Pete Cwalina, Jr.  
Council President