

**January 2, 2024 - 6:30 PM**  
**REORGANIZATION MEETING**  
**SWOYERSVILLE BOROUGH COUNCIL**

Mayor Concert calls the meeting to order.

The Pledge of Allegiance was recited.

Roll Call was taken, those present included Mr. Majewski, Mr. Brown, Mr. Christian, Mr. Cwalina, Mr. Lamereaux and Mr. Olejnick. Attorney Yeager was noted as absent. Also present were Mayor Concert, Gene Breznay, Borough Manager, Dave Hampton, Street Commissioner, Ken Shefler, Code Enforcement Officer, Ray Mackiewicz, Zoning/Code Enforcement Officer, Police Chief Wolinsky and Barb O'Donnell, Council Secretary.

Mayor Concert shared that prior to this meeting, the Honorable David Barilla swore in returning Councilman Shawn Brown, Pete Cwalina Jr., Joseph Olejnick and new Councilman John Majewski. Mayor Concert asked for a nomination and vote for Council President. Mr. Olejnick made a motion to nominate Mr. Cwalina as Council President. Motion was seconded by Mr. Christian. Vote was 6-0 in favor. Mr. Majewski made a motion to nominate Mr. Olejnick as Council Vice President. Motion was seconded by Mr. Christian. Vote was 6-0 in favor.

Mr. Cwalina, Council President, now chairs the meeting. Mr. Cwalina welcomed new Councilman, Mr. Majewski. Mr. Cwalina assigned committee positions as follows:

Mr. Majewski, Liaison; Mr. Brown, Police Department; Mr. Christian, Fire & Ambulance; Mr. Lamereaux, Bills/Finance, Mr. Olejnick, DPW & Swoyersville representative for the COG. Mr. Hampton, Street Commissioner is designated as the alternate COG representative. Mr. Cwalina will continue with Recreation Board/Junior Council.

Mr. Cwalina transitioned the Reorganization Meeting to the Regular Borough Council meeting.

## **REGULAR SWOYERSVILLE BOROUGH COUNCIL MEETING**

A motion was requested by Mr. Cwalina to accept the minutes from the December 4, 2023 regular meeting. A motion was made by Mr. Olejnick to approve the minutes. Motion was seconded by Mr. Lamereaux. Vote was 4-0 in favor with Mr. Christian and Mr. Majewski abstaining from the vote.

Monthly bills totaling \$19,185.50 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 6-0.

## **PUBLIC COMMENTS**

-Kathy Breznay, Church Street, on behalf of the Swoyersville Kiwanis Club, presented a check to Council for the Street Sign placed at Poland Street. A thank you was extended to the Street Department for placing the sign. Council thanked Mrs. Breznay and the Kiwanis Club for their continued dedication to placing street signs as needed within Swoyersville Borough.

Mr. Cwalina calls an Executive Session at 6:47 pm. Executive Session ended at 7:12 pm.

## BOROUGH MANAGER'S REPORT

-Mr. Breznay requested a motion and vote for adopting the ordinance setting date, hour, and time of regularly scheduled council meetings. Mr. Olejnick made a motion to approve the ordinance and motion was seconded by Mr. Brown. Vote was 6-0 in favor.

-Mr. Breznay requested a motion and vote for the ordinance setting compensation for employees and elected officials for 2024. Mr. Olejnick made a motion to approve the ordinance and motion was seconded by Mr. Majewski. Vote was 6-0 in favor.

-Mr. Breznay requested a motion and vote to Amend Chapter 69 – Landlord Registration/Occupancy Fee Schedule (second reading). A motion to approve the amendment was made by Mr. Olejnick and seconded by Mr. Brown. Vote was 4-2 in favor.

-Mr. Breznay requested a motion and vote for a resolution setting the contribution rate for the police pension at 3%. A motion was made by Mr. Brown to approve the resolution. Motion was seconded by Mr. Majewski. Vote was 5-0 in favor with Mr. Christian abstaining from the vote.

-Mr. Breznay requested a motion and vote for a resolution authorizing participation in the PA State Association Junior Council Person Program. A motion was made by Mr. Brown to approve the resolution and seconded by Mr. Christian. Vote was 6-0 in favor.

-Mr. Breznay requested a motion and vote to approve to pay the Motorola bill for four (4) wireless microphones for the Police Department using funds from the American Rescue Plan Act. A motion was made to pay the bill by Mr. Brown and seconded by Mr. Christian. Vote was 6-0 in favor.

-Mr. Breznay requested a motion and vote to pay the \$3,374.05 technical support cost for the Police Department ALERT Software (5-year term) with using funds from the American Rescue Plan Act. A motion was made by Mr. Brown to approve payment and selected by Mr. Majewski. Vote was 6-0 in favor.

## COMMITTEE REPORTS

**Finance:** Mr. Lamereaux presented the November 2023 Treasurer's Report. **General Fund:** beginning checkbook balance: \$35,116.05; interest & revenues for the month: \$598,445.46; Transfers from PLGIT for the month: \$10,000.00; Transfers to PLGIT for Month: \$0.00; Expenses for the month: \$574,573.82; ending checkbook balance: \$68,987.69. **Liquid Fuels:** beginning checkbook balance: \$265.55; interest & revenues for month: \$103.18; Transfers from PLGIT for month: \$6,000.00; Transfers to PLGIT for Month: \$0.00; expenses for the month: \$5,982.14; ending checkbook balance: \$386.59. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$14,925.62; interest & revenues for the month: \$7,481.30; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$0.00; expenses for the month: \$5,244.18; ending checkbook balance: \$17,162.74. **Solid Waste Collection:** beginning checkbook balance: \$60,210.38; interest & revenues for the month: \$20,603.65; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$0.00; expenses for the month: \$40,588.52; ending checkbook balance: \$40,225.51.

**Liaison Officer:** Mr. Christian requested an update on the status of repairing the basketball hoops. Mr. Hampton, Street Commissioner, will purchase the hoops and submit cost for reimbursement through the Recreation Board.

-Mr. Christian addressed the Warsaw Street hill flooding problem. Mr. Christian shared that he also received a text from Mr. Nenichka inquiring where things were at with repairs. Mr. Christian suggested considering a motion to advertise for bids to resolve the issue. Mr. Breznay noted that Mr. Amato, Borough Engineer, had looked into the issue previously and two recommendations were made. He suggested those recommendations be reviewed by Council again to evaluate which is the best option. Mr. Brown will also address this issue with Andy Riley at WWSA and inquire if they can send their Engineer to evaluate what assistance they may be able to offer with the repair. A thank you was extended to Mr. Hampton and the Street Department for their help during the flooding event.

-Mr. Christian addressed the issue of a resident encroaching on Borough property located on Mountain Street. Mr. Brown shared that Code Enforcement Officer, Ken Shefler, can address the issue. Mr. Shefler reported that a letter advising the resident to remove items from the Borough property was sent to the resident and clean up had begun; however, stopped. Ray Mackiewicz, Zoning/Code Enforcement will follow up on the issue and will speak to Attorney Yeager regarding sending out another letter.

**Police Department:** Mr. Brown presented the Police Department report for December 2023 which included a review of Crossing Guard hours. There was a total of 152 calls for service, 5 motor vehicle accidents and 9 school crossing guard duty reported. Fees collected totaled \$341.17. A motion was made by Mr. Brown to place monies in the appropriate funds. Motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

**Street Department:** Mr. Olejnick thanked Mr. Hampton and the Street Department for their assistance during the flooding event that occurred a few weeks ago.

**Fire Department:** Mr. Cwalina shared there Broderick, Hose Company #2, received a grant from the Skills and Gaming Commission for approximately \$11,000.00. There is a plan to replace Skylar Packs which is needed. No report for Maltby.

**Parks and Recreation:**

Recreation Board met on 12/20/23. The Board's account balance equals \$7,514.95. No expenditures reported. The glove drive ended with a donation of 400 items to Brandon's Forever Home and ornament decorating took place in December. The Board is always looking for volunteers and meetings are held every 3<sup>rd</sup> Wednesday of the month at the Borough building, 6:00 pm. The committee is starting the application process for the DCD Grant. Officer voting was conducted with the following appointments for 2024: Chairperson, Charlie Jones; Co-Chairperson; Catherine Nixon; Secretary, Jennifer Kadjesk; Treasurer, Joe Simon; Co-Treasurer, Angeli Mahovich; Sports Liaison, Jeff Lewis.

**Attorney Yeager:** No report provided.

**Mayor Concert:** -Mayor Concert requested an update on the property issues on Wesley Street. Police Chief Wolinsky shared vehicles were cleaned up. There is a trailer that will be disposed of also. Ray Mackiewicz, Zoning/Code Enforcement Officer reported that articles are still being placed on the railroad bed. Property owner was given until January 1, 2024 to clear the area. As of today 1/2/24, the items have not been removed. The property owner will be cited per day until the area is cleared.

-Mayor Concert inquired about property issues that are noted behind Bingo's Hoagie. Mr. Mackiewicz shared the area was being cleaned today. In addition, another property a few homes down on same street also requires property clean up. Mr. Mackiewicz is aware of the property and will speak to the property manager.

-Mr. Christian requested an update on progress being made at 166 Shoemaker Street. Mr. Mackiewicz shared that cleanup is an ongoing issue. Ken Shefler, Code Enforcement Officer shared that they are making progress but not quickly. Mr. Shefler forwarded a list of requirements to the owner's lawyer in order for owner to be able to return to her home. Mr. Shefler recommended allowing the owner to come and clean out as they are and in spring, re-evaluate where the owner is with meeting the requirements to be able to return. There is no timeframe/deadline set. The Order reads as long as they continue to make attempts to clean out the home, the Borough needs to give them that option. Questions regarding removal of vehicles from the property were discussed. This issue does not fall under the vehicle code as they are parked on private property. Ordinance carry out would take months to a year to accomplish due to multiple time periods set in the process.

-Mayor Concert informed Council that he will again be performing Marriages for 2024 within the Borough Building. In December 2023, there was one (1) marriage ceremony held. Borough Code allows Mayor Concert to charge \$150.00 per ceremony. Invoices are provided to the Borough.

-Mayor Concert requested that Financial Reports be emailed to Council members prior to a meeting.

## **ADDITIONAL COMMENTS FROM BOROUGH COUNCIL**

-Mr. Majewski extended a thank you to all those who supported him, especially his wife and daughter, with getting to a seat on the Swoyersville Borough Council and all those who came out and worked to elect him to the position of Councilman. As a part of six Council members, Mr. Majewski shared his hopes to build unity with all working together to keep the community solid and safe.

-Mr. Lamereaux voiced a concern regarding the early morning noise created by vehicles taking down the coal banks. Mr. Lamereaux questioned the ordinance that addresses the approved time for construction/vehicle noise to begin. He notes that the vehicles start as early as 5:45 am. Ken Shefler will reach out and discuss the concerns and ordinance with the coal bank crew.

Mr. Lamereaux inquired about the property at 491 Church Street; is the address still listed as a business and has the owner moved equipment off the property? Mr. Mackiewicz informed Council that the property is still registered as a business. The owner has moved equipment into his garage and not off of the property. Mr. Mackiewicz was informed by the owner that his lawyer advised him that he can keep the equipment in his garage at 491 Church Street. Mr. Mackewicz shared that Attorney Airos has been notified of the issue and is evaluating it further. A citation was forwarded to Attorney Airos for consideration of additional repercussions to be added.

## **MEETING OPENED TO THE PUBLIC**

No additional comments presented by the public.

No comments presented by Junior Council Members.

With no further issues or comments, Mr. Cwalina requested a motion to adjourn the meeting. Motion was made by Mr. Christian and was seconded by Mr. Olejnick. Vote was 6-0 in favor. Meeting was adjourned at 7:34 pm. Next meeting will be held on February 5, 2024 at 6:30 pm.



Barb O'Donnell  
Borough Council Secretary

Pete Cwalina, Jr.  
Council President