

February 05, 2024 - 6:30 PM
REGULAR MEETING OF SWOYERSVILLE BOROUGH COUNCIL

Council Vice President Olejnick calls the meeting to order.

The Pledge of Allegiance was recited.

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

A motion was requested by Mr. Olejnick to accept the minutes from the January 2, 2024 Reorganization & Regular meeting. A motion was made by Mr. Majewski to approve minutes. Motion was seconded by Mr. Brown. Vote was 4-0 in favor.

Monthly bills totaling \$43,356.70 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. Christian. Vote was 4-0.

PUBLIC COMMENTS

-Jerome Kuczynski, 427 Shoemaker Street, voiced a concern regarding cars parking on the wrong side of the street near the bar on Shoemaker. Mr. Christian shared to continue calling 911 to address this issue. Mr. Kuczynski also asked if Council could reach out to PennDOT and get a stop sign placed by Rich's Service Station. Mr. Christian noted this location was discussed in the past & PennDOT found a stop sign was not warranted based on review of traffic activity and accident statistics for that location. With the road being state owned, Mr. Kuczynski was encouraged to reach out to State Representatives with his concern.

-Mark Nenichka, 77 Brook Street, commented on the Warsaw Street water issue. Based on the Borough Engineer's input that when water goes over Warsaw Street and through yards it is following its natural flow, Mr. Nenichka suggests that the natural flow needs to be taken into consideration when attempting to reroute the water. He feels more research is necessary before moving forward with any corrections made. Mr. Olejnick shared that a second opinion is being obtained from WVSA.

-Patty Opsitos, 40 Brown Street, shared her experience with drainage/flooding at her residence resulting from the Warsaw Street water issue. Mr. Christian shared that the curb indent on the north side of Warsaw may be part of the issue for this resident. Discussion regarding placing curbs has been discussed to redirect water.

--Kathy Mericle, 5 Kirby Street, extended recognition to the Police Department for an amazing job done recently while assisting her with an issue at her home. The officer who responded was kind, compassionate and knowledgeable.

BOROUGH MANAGER'S REPORT

-Mr. Breznay requested a motion and vote to pay \$689.79 for flooring in the Tax Collector's Office. Funding for the expense will come from the American Rescue Plan Act. A motion was made by Mr. Brown and seconded by Mr. Majewski. Vote was 4-0 in favor.

ZONING OFFICER/CODE ENFORCEMENT REPORT

-Mr. Mackiewicz requested a motion and vote to approve the updated Flood Protection Plan that is recommended by the State and Federal requirements. The updated plan will need to be approved by June 2024. Mr. Christian requested a copy for Attorney Yeager to review. Mr. Christian made a motion to approve the 1st reading of the plan pending Attorney Yeager's review. Motion was seconded by Mr. Brown. Vote was 4-0 in favor.

-Mr. Mackiewicz presented the January Zoning/Code Enforcement Report. No dumpster or zoning permits issued; 14 residential rental inspections completed - \$1,400.00; scheduling of inspections with landlords continues; Amusement Tax collected to date: \$1100.00; Dennison Cemetery clean up along Dennison is complete; 1 reverse subdivision & 2 subdivisions being addressed; property clean up on Shoemaker Street continues; Mr. Zielinski has been contacted regarding noise concerns at the Mind Reclamation Project and he is looking for documentation regarding hours they were granted to start work in the morning. If no documentation can be located, start time will revert to what is outlined by the Borough Ordinance which is 7:00 am.

Mr. Christian questioned the issue of a time limit for completion of clean up on Shoemaker property. Recommendations were made at a previous meeting by Code Enforcement Officer, Ken Shefler. Should time limit be reviewed further? Attorney Yeager will review and follow up with Council.

Mr. Majewski questioned if all residential & commercial inspections required have been identified through a current list? Mr. Mackiewicz shared he was provided a list of owners identified as out of state or within the Borough. Mr. Majewski questioned if a list could be obtained from Berkheimer & Associates and suggests that a complete list of all current owners be available before moving forward with inspections. Mr. Majewski also posed the question of whether updating the borough ordinance to confine a time limit would apply to the current Shoemaker Street property issue. Attorney Yeager shared that time limit would be a matter that would fall under the Condemnation Act and not local ordinance.

Mayor Concert requested that Ehrlich be contacted to remove rats from the Shoemaker property. Borough Manager, Mr. Breznay will reach out to Ehrlich with a request to assist.

COMMITTEE REPORTS

Finance: Mr. Lamereaux presented the December 2023 Treasurer's Report. **General Fund:** beginning checkbook balance: \$68,987.69; interest & revenues for the month: \$47,227.54; Transfers from PLGIT for the month: \$105,000.00 Transfers to PLGIT for Month: \$0.00; Expenses for the month: \$194,879.93; ending checkbook balance: \$26,335.30. **Liquid Fuels:** beginning checkbook balance: \$386.59; interest & revenues for month: \$0.54; Transfers from PLGIT for month: \$14,300.00; Transfers to PLGIT for Month: \$0.00; expenses for the month: \$14,381.05; ending checkbook balance: \$306.08. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$17,162.74; interest & revenues for the month: \$1,842.58; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$0.00; expenses for the month: \$3,316.08; ending checkbook balance: \$15,689.24. **Solid Waste Collection:** beginning checkbook balance: \$40,225.51; interest & revenues for the month: \$38,363.01; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$0.00; expenses for the month: \$17,833.67; ending checkbook balance: \$20,754.85.

Fire Department: Mr. Christian requested a motion and vote to advertise for Part time Fire Truck Drivers with a starting rate of \$16.50. A motion was made by Mr. Olejnick and seconded by Mr. Majewski. Vote was 4-0 in favor.

-Mr. Christian requested a motion and vote to have new carpeting installed in the Administrative Offices. No bids are needed. Cost will be covered with funds coming from the American Rescue Plan. A motion was made by Mr. Olejnick and seconded by Mr. Brown. Vote was 4-0 in favor.

Police Department: Mr. Brown presented the Police Department report for January 2024 which included a review of Crossing Guard hours. There was a total of 162 calls for service, 5 motor vehicle accidents and 1 school crossing guard duty reported. Fees collected totaled \$370.65. A motion and vote were requested by Mr. Brown to place monies in the appropriate funds. A motion was made by Mr. Olejnick and seconded by Mr. Christian. Vote was 4-0 in favor.

Street Department: Mr. Olejnick made a motion to approve repairs to the Dana Street stormwater station. The cost is approximately \$1,500.00. Work will be performed by Joseph Ferraro. Motion was seconded by Mr. Majewski. Vote was 4-0 in favor.

Parks and Recreation: Mr. Olejnick shared that the Wing Fling is set for July 26 & July 27, 2024 at the Girl's Softball Field. Mr. Olejnick made a motion to pay overtime for Police Department and Street Department assistance at the event. Motion was seconded by Mr. Christian. Vote was 4-0 in favor. Mr. Christian shared that Swoyersville Borough is being recognized as a sponsor for this event.

Liaison Officer: Mr. Majewski presented a letter from Joseph Lipinski, Chairperson – Planning Commission, Swoyersville Borough sharing that the Planning Commission members have reviewed the Michael's Subdivision plan by J. Piestrak of 11/30/23, merging of two properties into one and without exception have voted to recommend that Council Approve the merger. A motion was made by Mr. Majewski to approve the merger. The motion was seconded by Mr. Olejnick. Vote was 4-0 in favor.

-Mr. Majewski commended the Street Department for an excellent job with road maintenance during several recent snow/ice events & also maintaining garbage collection during those times. Several emails/comments were received from residents recognizing the job done.

-Mr. Majewski reported a flooding concern was received from property owners located at 80 Hazel Street on January 6, 2024. The property owners had experienced past flooding in December relating to a WVSA storm basin located near their home. The issue was discussed with Mr. Olejnick and Mayor Concert. A few calls were made to the WVSA which resulted in a WVSA crew cleaning out the basin which was 70% blocked on 1/8/24. With heavy rains occurring on 1/9/24, it is felt that the work performed prevented a reoccurrence of flooding. A letter was received from the property owners extending their appreciation for Council assistance with resolving this flooding problem.

Attorney Yeager: No report provided.

Mayor Concert: -Mayor Concert shared the following events/updates: Polka on the Corner, 6/9/24; Along with the Youth Enrichment Committee, the Easter Event will be held at the Roosevelt Field, 3/24/24; The 125th Swoyersville Hometown Celebration will be held 6/1/24 & 6/2/24 with a parade being held on Sunday; Community Yard Sale is 6/8/24 and the Fall Festival is being planned. Mayor Concert reported that there were no funds removed from the Mayor's Budget for January. There has been \$1,428.91 raised toward the purchase of Coalminers/Veterans stones. No marriages were performed in January.

ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-Mr. Christian extended a resident's commendation to the Police Department for their efforts involved in a recent case that resulted in a lengthy jail sentence. Mr. Christian also commended Dave Hampton and the Street Department for the fantastic work they are doing. There were over 62 positive comments shared on Facebook.

-Mayor Concert reported there have been several complaints received regarding people letting their dogs run free at the Girls Softball and Roosevelt Street fields. They are not on leashes and owners are not cleaning up after their dogs. Mayor Concert encouraged calling 911 if this behavior is witnessed.

MEETING OPENED TO THE PUBLIC

-Bill Hooper, Brook Street, presented the 2023-2024 Swoyersville TNR (Trap/Neuter/Release) report. The program that started 2/1/23 is sponsored by No Nonsense Neutering. For 2023, there were a total of 64 cats processed through the program. There was a total of 100 coupons obtained during 2023 (\$1,500), 36 of those coupons are forwarded to 2024. There are a total of 7 traps available. A list of current members & contact numbers was provided to Council. The report also includes a list of streets with number of cats trapped. Mr. Christian extended a thank you to Mr. Hooper for the work performed by the committee. Mr. Christian also noted that the Borough has budgeted an amount for supplies & food for the program.

-Kathy Breznay, Church Street, noted that a cut on Shoemaker is getting deeper. Will that issue be repaired? Dave Hampton, Street Commissioner, will address the issue.

On behalf of the Kiwanis Club, with wanting to donate to the Coal Miners/Veterans monument, Kathy Breznay presented a few questions regarding cost and size of monuments, how already donated funds are being distributed for the two monuments and what would be the best way for the club to donate (per monument or one amount for both)were presented regarding cost of monuments, size of monuments and how already collected donations will be applied. Mayor Concert addressed each question and shared an estimated time when monuments will be ordered.

-Mayor Concert shared that the SPCA took in 6 cats for the Borough. The Borough does have a contract with the SPCA, and residents can take animals there. Mayor Concert extended a thank you to Mr. Griffith & his volunteer team for cleaning up the back road in Swoyersville. A request was made for repair/replacement be considered for the dividers located in the Borough Building restrooms using American Rescue Plan funds to cover the cost. Mayor Concert also shared that there are still two Welcome to Swoyersville signs needed at Dennison Street and on the back road. Kathy Breznay shared if someone else is not working on the signs as a project, the Kiwanis Club can consider helping.

Mr. Olejnick called an Executive Session at 7:18 pm. Executive Session ended at 7:30 pm.

With no further issues or comments, Mr. Olejnick requested a motion to adjourn the meeting. Motion was made by Mr. Christian and was seconded by Mr. Brown. Vote was 4-0 in favor. Meeting was adjourned at 7:31 pm. Next meeting will be held on March 4, 2024 at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

Joseph Olejnick
Council Vice President