

JUNE 3, 2024 - 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. Christian, Mr. Olejnick, Mr. Cwalina, Mr. Lamereaux and Mr. Majewski. Mr. Brown was noted as absent. Also present were Attorney Yeager, Borough Solicitor; Mayor Concert, Gene Breznay, Borough Manager; Dave Hampton, Street Commissioner; Ray Mackiewicz, Zoning/Code Enforcement Officer, Police Chief Wolinsky, John Baker, EMA Director, Jake Dubaskas and Tyler Ruddy, Junior Council Members and Barb O'Donnell, Council Secretary.

A motion was requested by Mr. Cwalina to accept the minutes from the May 6, 2024 Regular Council meeting. A motion was made by Mr. Majewski to approve the May 6, 2024 meeting minutes as presented. Motion was seconded by Mr. Olejnick. Vote was 4-0 in favor with Mr. Cwalina abstaining from the vote.

Monthly bills totaling \$15,273.88 were presented by Ms. O'Donnell, Council Secretary. A motion was made by Mr. Olejnick to approve the monthly bills and motion was seconded by Mr. Christian. Vote was 5-0 in favor.

Gene Breznay, Borough Manager, opened and read three bids for the Swoyersville Borough 2024 General Fund Pave Project.

-A bid of \$625,759.00 was received from American Asphalt, 500 Chase Road, Shavertown, PA 19621 included a bid bond of 10% - Cincinnati Insurance.

-A bid of \$603,124.80 was received from Pennsy Supply, 300 Armstrong Road, Pittston, PA 18640 that included a bid bond of 10% - Liberty Insurance.

-A bid of \$548,366.20 was received from STELL, 16. E. Ann Street, Wilkes-Barre, PA 18705 that included a bid bond of 10% = Optimum Insurance Company.

Mr. Breznay recommended that selection & voting on a bid be tabled until Borough available funding is further reviewed. A motion was made by Mr. Majewski to table voting on the three bids until Borough funding is further reviewed. Motion was seconded by Mr. Olejnick. Vote was 5-0 in favor.

PUBLIC COMMENTS

-Tony Zambito, 135 Jackson Street shared that he is interested in purchasing an alleyway that exists between two lots that he owns (1 lot on Oliver Street & 1 lot on Chestnut Street) and inquired how he could go about doing that. The alleyway has never been used as an alleyway and currently has several trees growing on it. Mr. Breznay shared that the Borough would need to look further at the property in question. Mr. Breznay will initiate the process.

-Charles Jones, Swoyersville Parks & Recreation Committee questioned if would be appropriate to ask the contractor who is chosen for the Swoyersville 2024 General Fund Pave Project to also complete resurfacing of the basketball courts within the Borough. Mr. Breznay shared that the resurfacing of basketball courts would need to be advertised as a separate bid.

-Thomas Booth, Warsaw Street approached Council regarding a letter he received explaining the Borough's plan for a permanent curb at the edge of his property to resolve the water flow issue on Warsaw Street hill. In order to consider a curb, the resident will need to move his vehicle currently parked in the area in question. Mr. Booth does not feel that a permanent curb is needed to resolve the issue. John Baker, EMA Director shared that water flowing down the street does not affect Mr. Booth's property; however, other residents at the Corner of Hughes & Hill Street are affected, some with flooding. Mr. Baker again recommends having a curb placed as a resolution. Mike Amato, Penn Engineering, also shared recommendations for resolution and shared that there is a plan in place that includes the Swoyersville DPW as part of the team.

Regarding water issues, Mr. Breznay shared that a letter was received from Jeff Colella, StormWater Division Manager, WVSA regarding the Creek Street basin restoration. Work is anticipated to start in mid-July, 2024. In addition, WVSA will also be cleaning the channel from the basin to the underground pipe at Dennison Street.

BOROUGH MANAGER'S REPORT

-Mr. Breznay reported that the Borough received a \$100,000 grant that will be used for the Borough Building emergency generator. It is noted that the Borough has two years to use the grant funds.

-Mr. Breznay shared an application for a handicap spot for the Paradise Club, Talcott Street. The request was reviewed by Swoyersville Borough Police Department, and it is recommended that the application be approved. Mr. Christian made a motion to approve the handicap spot application for the Paradise Club and motion was seconded by Mr. Lamereaux. Vote was 5-0 in favor. The Street Department will place the handicap parking sign.

ZONING OFFICER/CODE ENFORCEMENT REPORT

-Mr. Mackiewicz read the Zoning/Code Enforcement Report for May 2024. Total fees collected were \$900.00.

-Mr. Mackiewicz requested a motion and vote to approve the final reading of the proposed Quality of Life Ordinance. Mr. Majewski asked if the ordinance had been reviewed by Attorney Yeager, to which Attorney Yeager responded yes. A motion was made by Mr. Olejnick to approve/adopt the Quality-of-Life Ordinance and seconded by Mr. Christian. Vote was 5-0 in favor.

-Mr. Mackiewicz requested a motion and vote to amend Chapter 45 – Dumpster Ordinance Non-Construction Waste Dumpster Time Limitation. The amendment will move a 5-day placement limit to a 10-day placement limit for non-construction dumpsters. A motion was made by Mr. Olejnick to approve the Dumpster Ordinance amendment (2nd reading) and the motion was seconded by Mr. Christian. Vote was 5-0 in favor.

-Mr. Christian provided an update on the property at 166 Shoemaker Street. The June 1, 2024 deadline for cleanup compliance has passed. A structural inspection and fire inspection are recommended. Mike Amato, Penn Engineering, Swoyersville Fire Chief Mahon & Ken Shefler, Code Enforcement will work together to coordinate the process of inspection.

Mr. Lamereaux inquired if the tree cutting business located at Bingo's was being reviewed. Mr. Mackiewicz shared that the issue is being addressed.

COMMITTEE REPORTS

Finance: Mr. Lamereaux presented the April 2024 Treasurer's Report. **General Fund:** beginning checkbook balance: \$58,404.39; interest & revenues for the month: \$174,249.20; Transfers from PLGIT for the month: \$55,000.00. Transfers to PLGIT for Month: \$0.00; Expenses for the month: \$184,187.28; ending checkbook balance: \$103,466.31. **Liquid Fuels:** beginning checkbook balance: \$224.35; interest & revenues for month: \$0.36; Transfers from PLGIT for month: \$13,900.00; Transfers to PLGIT for Month: \$0.00; expenses for the month: \$13,919.59; ending checkbook balance: \$205.12. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$2,341.04; interest & revenues for the month: \$8,203.65; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$0.00; expenses for the month: \$9,662.65; ending checkbook balance: \$882.04.

Solid Waste Collection: beginning checkbook balance: \$8,690.54; interest & revenues for the month: \$25,894.66; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$0.00; expenses for the month: \$11,971.05; ending checkbook balance: \$22,614.15.

Fire Department: Mr. Christian reported that in May 2024, Malby had 15 calls and Broderick reported 16 calls.

Police Department: Mr. Olejnick presented the Police Department report for May 2024 which included a review of Crossing Guard hours. There was a total of 197 calls for service, 5 motor vehicle accidents and 5 school crossing guard duty reported. Fees collected totaled \$281.53. A motion and vote were requested by Mr. Olejnick to place monies in the proper funds. Motion was seconded by Mr. Lamereaux. Vote was 4-0 in favor with no vote from Mr. Christian who momentarily left the meeting during the Police Department report.

Street Department: Mr. Olejnick reported that there were no applications received for Street Department summer help with the first advertisement. A motion was made by Mr. Olejnick to re-advertise for summer help at \$15.00 per hour for 720 hours available between the hires. The motion was seconded by Mr. Christian. Vote was 5-0 in favor.

-Mr. Olejnick made a motion to terminate employee #5915. Motion was seconded by Mr. Christian. Vote was 5-0 in favor.

-Mr. Olejnick made a motion to advertise for 1 full-time Street Department Worker. Motion was seconded by Mr. Majewski. Vote was 5-0 in favor.

-Mr. Olejnick made a motion to advertise a Special Council Meeting to be held on 6/12/24 at 6:00 pm to hire both Street Department summer help and one full-time employee. Motion was seconded by Mr. Christian. Vote was 5-0 in favor.

Parks and Recreation: Mr. Cwalina presented the Swoyersville Parks and Recreation Committee report. The account balance as of 4/30/24 was \$10,521.67. Work on the new Sailors' Field at Roosevelt Park is scheduled to begin on 6/4/24. The field is expected to be available for practice on 7/2/24. The committee is actively seeking bids to resurface basketball courts and blacktop surfaces at all three parks within Swoyersville Borough, including the tennis courts at Roosevelt Park. The plan is to convert the tennis courts to pickle ball courts. Upcoming events for June, July & August were shared.

Information regarding the events can be found on the Parks & Recreation Facebook page. The next Parks and Recreation Meeting will be held on Wednesday, June 16, 2024 at 6:00 pm. The public is welcome to attend.

The Recreation Board is still looking for sponsors and vendors for the upcoming Wing Fling. The deadline for signing up as a sponsor or vendor is June 30, 2024. The board is also looking for volunteers for the event.

Liaison:Mr. Majewski reminded residents that school is now out & there are a lot more children playing outside and riding bikes. All residents are asked to be careful when traveling the streets of Swoyersville.

-Mr. Majewski shared some Borough events: Thursday, 6/6/24 is cardboard pick up day; Saturday, 6/8/24 is the Swoyersville Community Yard Sale, the Kiwanis Club is participating in the event. A thank you was extended to Briana Keeler, Comparison Insurance, who provided 60 residents with yard sale kits. Polka on the Corner is scheduled for June 9, 2024; Kathy Breznay will be inducted into the Sports Hall of Fame on June 9, 2024. Mayor Concert shared that a list of street corners for the Polka on the Corner event along with a list of properties participating in the Community Yard Sale will be available on 6/4/24.

-Mr. Majewski presented information received from Aaron Kaufer regarding UGI & PPL rebates for placement of new air conditioning units.

Attorney Yeager:An issue came up at last month's meeting regarding the collection and depositing of funds for the 125th Anniversary event. Attorney Yeager reported that Borough Officials did contact the State Auditors and the Luzerne County District Attorney's office regarding the incident. In the future, all monies collected from any Swoyersville Borough events will be collected and deposited in Borough accounts and any expenses will be expended from Borough accounts. Personal accounts will not be used for deposits. All parties involved in the incident were notified and agreed with the recommendations. The issue was an oversight and has been corrected.

Mayor Concert:

-Mayor Concert thank all those who attended The Swoyersville 125th Celebration. Mayor Concert presented that the following deposits were given to Gene Breznay, Borough Manager: \$920.00, \$875.00, \$785.00 (Concession Stand) and several individual donation amounts. There was a total of \$5,900.00 raised. Mayor Concert also reviewed several expenditures. After all monies raised and expenditures were accounted for, there is \$524.77 which will be divided between the Swoyersville Little League & Swoyersville Sailors. Mayor Concert extended a thank you to all those that contributed to the success of the event to include families& individuals, local organizations, local businesses, Borough Departments, Manager & Council, Swoyersville committees and Clubs. Mayor Concert shared that the Liability Insurance & Port A Potty expense was taken out of the Mayor's Account.

-Mayor Concert presented to Council President, Pete Cwalina, a citation received from the Senate of the Commonwealth of Pennsylvania recognizing & congratulating the Borough of Swoyersville on its 125th Anniversary. The document will be placed in the borough building display case.

-Mayor Concert reported that it is anticipated that the monuments will be placed during the second week of August 2024. In addition, benches will also be placed with the monuments. Mayor Concert shared that there will be no names inscribed on the benches.

ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-Mr. Christian presented a form that can be used to capture information regarding Borough events. A copy was provided to each member of council. No motion needed. Council agrees form should be completed with each Borough event held.

-Mr. Christian again shared that the Fire Chief Mahon, Mike Amato, and Ken Shefler are going to start working on the structural issues at 166 Shoemaker Street.

-Mr. Christian shared that No Nonsense Neutering is going well. The program has been highly successful. The current grant is going to expire soon and with that the Borough will need to consider renewal.

-Mr. Christian shared that residents on Lackawanna Avenue are concerned about excessive speed in the evening hours. A request has been made for "SLOW" to be painted on the road. The Street Department will paint the sign and also move the speed detector to that area. Mr. Christian asked Police Chief Wolinsky to share this concern with whoever is working the evening shift so it could be monitored.

-Mr. Christian inquired whether Swoyersville residents can access the property on the mountain that is currently posted with multiple no trespassing signs and also gated. The property is deeded/owned by Swoyersville Borough. A discussion was initiated with input received from John Baker, EMA Director & Mike Amato, Penn Engineering confirming that the property is owned by Swoyersville Borough; however, there was reference made to a lease agreement between Swoyersville Borough and the Quarry. Gene Breznay, Borough Manager, shared that he does have documentation regarding the lease. Attorney Yeager will review the lease and discuss with Council members. Once a review is done, Council can consider further if it is safe & legal for residents to access the land for recreational purposes.

-Mr. Lamereaux made a motion to start the process of looking into voting at large and to abolish ward voting. Motion was seconded by Mr. Christian. Vote was 3-2 NOT in favor.

-Mayor Concert extended congratulations & best wishes to all of the 2024 Graduates. Mayor Concert also acknowledged Jay Berry, a long-term Swoyersville Crossing Guard who recently passed away. The Borough is thankful for his service. Thoughts and prayers go out to his family.

-Attorney Yeager shared that two Swoyersville Boy Scouts were recently the recipients of the prestigious Ad Altare Dei Award. Attorney Yeager extended congratulations to the scouts and leaders for the hard work and dedication they provide to Swoyersville Borough.

-Mr. Cwalina extended a thank you to Council members for their support & efforts provided during his absence from the April and May Council Meetings.

MEETING OPENED TO THE PUBLIC

-Kathy Breznay, Church Street, thanked Mayor Concert & all those involved for all that was done for the 125th Celebration. Ms. Breznay questioned if the event form that Council agreed should be used for all Borough Events will also be used by the Mayor for his Borough account. Mr. Cwalina presented a copy of the new form to Mayor Concert. Ms. Breznay inquired where the monuments were ordered from and what was the total amount raised. Mayor Concert shared the monuments were ordered from Bednarski's and the amount raised was approximately \$5000.00. A report will be completed and provided to Gene Breznay, Borough Manager.

-Gene Breznay shared that a check for the monuments was released on 4/9/24; however, has not yet been cashed. Mayor Concert shared that the check along with information regarding monument details was delivered/placed in a drop off box as directed by Mr. Bednarski. Mr. Breznay shared that input received from Kenny Bednarski was he was not aware of receiving anything regarding monument details or payment. Mayor Concert will reach out to Mr. Bednarski to discuss information that was delivered and to confirm receipt of the check.

With no further issues or comments, Mr. Cwalina requested a motion to adjourn the meeting. Motion was made by Mr. Olejnick and was seconded by Mr. Christian. Vote was 5-0 in favor. Meeting was adjourned at 7:44pm. Next meeting will be held on July 1, 2024 at 6:30 pm.

Barb O'Donnell
Borough Council Secretary

Pete Cwalina, Jr.
Council Vice President

JUNE 12, 2024 - 6:00 PM
SPECIAL 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. Christian, Mr. Olejnick, Mr. Cwalina, and Mr. Majewski by Telephone. Mr. Brown and Mr. Lamereaux were noted as absent. Also noted as present were Gene Breznay, Borough Manager, Dave Hampton, Street Commissioner, and Barb O'Donnell, Council Secretary. and Barb O'Donnell, Council Secretary.

The purpose of the Special Meeting is to hire (3) summer help workers @ \$15.00/hour with a total of 720 hours split equally between the three workers. A full-time Street Department worker will be hired at a salary that is negotiable. In addition, a motion and vote to award the road paving project for seven roads within the borough.

-Mr. Olejnick made a motion to hire John Roberts as summer help for the Street Department. Motion was seconded Mr. Christian. Vote was 4-0 in favor.

-Mr. Olejnick made a motion to hire Donald Griffiths as summer help for the Street Department. Motion was seconded by Mr. Christian. Vote was 4-0 in favor.

-Mr. Olejnick made a motion to hire Mason Gronkowski as summer help for the Street Department. Motion was seconded by Mr. Christian. Vote was 4-0 in favor.

-Mr. Cwalina requested a motion and vote to award the road paving project that will involve 7 roads to Stell Enterprises. The bid amount was \$546,366.80. Mr. Olejnick made a motion to award the road paving project to Stell Enterprises. The motion was seconded by Mr. Christian. Vote was 4-0 in favor.

Mr. Cwalina called an Executive Session at 06:20 pm. Executive Session ended at 06:43 pm.

-Mr. Olejnick made a motion to Richard Zekus for the full-time Street Department worker at \$21.00/hr. pending successful passing of drug & alcohol testing. Mr. Zekus was the only qualified applicant. Mr. Christian seconded the motion. Vote was 4-0 in favor.

Mr. Cwalina requested a motion to adjourn the meeting. A motion to adjourn was made by Mr. Christian and seconded by Mr. Olejnick. Vote was 4-0 in favor. The next Regular Council Meeting will be held on July 1, 2024 at 6:30 pm.

Barb O'Donnell
Borough Council Secretary

Pete Cwalina, Jr.
Council Vice President

