

**SEPTEMBER 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. Brown, Mr. Olejnick, Mr. Cwalina, Mr. Voitek and Mr. Majewski. Also present were Gene Breznay, Borough Manager, Dave Hampton, Street Commissioner; Ray Mackiewicz, Zoning/Code Enforcement Officer, Police Chief Wolinsky, Jake Dubaskas and Tyler Ruddy, Junior Council members and Barb O'Donnell, Council Secretary. Attorney Yeager & Mayor Concert were noted as absent.

A motion was requested by Mr. Cwalina to accept the minutes from the August 5, 2024 Regular Council meeting. A motion was made by Mr. Voitek to approve the August 5, 2024 meeting minutes as presented. Motion was seconded by Mr. Brown. Vote was 6-0 in favor.

Monthly bills totaling \$72,319.64 were presented by Council Secretary, Barb O'Donnell. A motion was made by Mr. Olejnick to approve the monthly bills, and motion was seconded by Mr. Brown. Vote was 6-0 in favor.

### **PUBLIC COMMENTS**

-Mark Nenichka questioned if the Wade Run Creek project has been inspected this year. Mr. Breznay shared that it was inspected. A concern exists with debris buildup in the several in the channel behind 78 Brook, the basin behind 76 Brook and the box culvert under Dennison Street. Residents have observed the water running slow and feel it needs to be drenched. Mr. Hampton, Street Department, did share that drenching was planned for next month.

-Mr. Nenichka asked where the Borough stands with correcting the water run off on Warsaw Street. Mr. Christian shared that with the curb that was put in, the water run off issue no longer occurs on the lower streets. Mr. Nenichka asked if the curb was a permanent solution. Mr. Christian shared that the absence of a curb was identified as the problem, and the curb is working well as reported by previously affected residents.

-Mr. Nenichka questioned if resident complaints need to be answered within 30 days? Mr. Cwalina shared that a policy/procedure was adopted about two years ago and will need to be pulled to clarify what a 30-day period pertains to and to clarify in what time limit a written complaint needs to be answered.

-Mr. Nenichka shared a concern regarding cars that have been noted to be parked for several weeks at the business located at 69 Bohac Street. The borough's ordinance states that nothing will be parked within 10 feet of a curb line; however, there has been a vehicle parked within 8 feet of the curb. Mr. Mackiewicz shared that the issue was addressed by Ken Shefler, Code Enforcement Officer, and the vehicle has been moved. Chief Wolinsky and Mr. Mackiewicz shared that they have received no complaints about parking in that area; however, will keep an eye on it.

### **BOROUGH MANAGER'S REPORT**

-Mr. Breznay, Borough Manager, requested a motion and vote on the LSA application resolution for Street Department equipment garage which will be a separate building. Cost will be \$160,162.00. A motion was made by Mr. Olejnick and seconded by Mr. Brown. Vote was 6-0 in favor.

-Mr. Breznay reported the Minimum Municipal Obligations (MMOs) of \$23,115.00 for the Non-Uniform Pension Plan and \$97,926.00 for the Police Pension Plan. No motion or vote is required.

-Mr. Breznay shared that Planning Commission vacancy currently exists with the resignation of Celia Connor. A motion was made by Mr. Cwalina to accept the resignation of Celia Connor. Motion was seconded by Mr. Olejnick. Vote was 6-0 in favor. A motion was made was made by Mr. Olenjick to advertise the Planning Commission vacancy. The motion was seconded by Mr. Majewski. Vote was 6-0 in favor. Mr. Breznay shared that one letter of interest has been submitted.

-Mr. Breznay reported an application for a handicap parking spot for 92 Lackawanna. All requirements have been met. Mr. Christian made a motion to approve the application pending Police Department confirmation that all requirements have been met. Motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

-Mr. Breznay reported the application to Luzerne County Community Development for road improvements will be submitted by September 19, 2024. Eight streets that meet their low/moderate income levels, as determined by the HUD map, will be applied for. It is noted that most streets fall within the 2<sup>nd</sup> Ward.

## ZONING OFFICER/CODE ENFORCEMENT REPORT

-Mr. Mackiewicz presented and read the Zoning/Code Enforcement Report for August 2024. Mr. Mackiewicz reported 1 dumpster permit issued (\$25.00), 4 zoning permits issued (\$100.00), 14 residential rental inspections were completed (\$1,400.00), contact with landlords continues and 9 inspections have been scheduled for September, 2024, 3 new Quality of Life citations issued, 11 complaints reported/handled and 5 vehicles were removed from the alley between Simpson and Watkins Streets without incident. Ken Shefler, Code Enforcement Officer, continues to deal with the owners of 166 Shoemaker Street. A deadline for compliance is set for September 27, 2024.

## COMMITTEE REPORTS

**Finance:** Mr. Voitek presented the July 2024 Treasurer's Report. **General Fund:** beginning checkbook balance: \$8,395.58; interest & revenues for the month: \$166,534.43; Transfers from PLGIT for the month: \$205,200.00. Transfers to PLGIT for Month: \$0.00; Expenses for the month: \$229,652.54; ending checkbook balance: \$50,477.47. **Liquid Fuels:** beginning checkbook balance: \$139.62; interest & revenues for month: \$0.39; Transfers from PLGIT for month: \$5,900.00; Transfers to PLGIT for Month: \$0.00; expenses for the month: \$5,768.11; ending checkbook balance: \$271.90. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$6,893.87; interest & revenues for the month: \$35,931.44; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$15,000.00; expenses for the month: \$4,858.70; ending checkbook balance: \$22,966.61. **Solid Waste Collection:** beginning checkbook balance: \$27,565.03; interest & revenues for the month: \$16,777.34; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$20,000.00; expenses for the month: \$14,583.94; ending checkbook balance: \$9,758.43.

**Fire Department:** Mr. Christian reported that Kingston EMS responded to 55 calls in August. Maltby & Broderick Fire Departments both responded to 20 calls.

-Mr. Christian requested a motion and vote for a \$200.00 donation to the Swoyersville/Forty Fort Boy Scout Troop 143 for the upcoming Car Show. Mr. Brown made the motion to donate \$200.00 to the Swoyersville/Forty Fort Boy Scout Troop 143. Motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

-Mr. Christian made motion to develop a policy for recognition of people and or groups that includes such recognition requiring approved by Borough Council. Mr. Majewski issued a Point of Order, objecting to the motion. Mr. Majewski presenting reasons for his objection to include such policy would violate existing codes/rules that outline a mayor's power to issue Proclamations, Letters of Honor/Recognition & Keys to the City. Council President, Mr. Cwalina, acknowledged Mr. Majewski's Point of Order & allowed a brief discussion regarding the issue. Mr. Cwalina allowed the motion to then move forward. With Mr. Christian's 1<sup>st</sup> motion acknowledged, no second motion was received from Council members. Mr. Christian's motion was denied.

-Mr. Christian requested a motion and vote to install security cameras at Roosevelt Field. A motion was by Mr. Brown and seconded by Mr. Olejnick. Vote was 6-0 in favor. Mr. Voitek shared that he, the Borough IT Specialist, and Gene Breznay met & did walk the field. A proposal is being completed that will outline a plan & what is needed. It will be presented to Council for final approval. Mr. Charlie Jones, member of the Parks & Recreation Committee, questioned if all parks within the Borough could be approved for security cameras. Mr. Voitek shared cameras for all parks was not discussed during this meeting; however, once the proposal is completed, consideration can be made on how other parks can be added later. Mr. Christian shared that Roosevelt Field is a priority as there have been a few acts of vandalism reported.

**Police Department:** Mr. Brown presented the Police Department report for August 2024 which included a review of Crossing Guard hours. It was noted that there is no report relating to calls of service or accidents at this meeting as the server is down and is in the process of being repaired. Fees collected totaled \$235.26. A motion was made by Mr. Brown to place monies in the proper funds. Motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

-Mr. Brown made a motion to hire a school crossing guard, Irene Galletti, pending acceptance @12.00 per hour. Ms. Galletti must successfully pass drug/alcohol testing prior to starting. Motion was seconded by Mr. Olejnick. Vote was 6-0 in favor.

**Street Department:** Mr. Olejnick & Dave Hampton, Street Commissioner, discussed the purchasing of a new dump truck. A motion was made by Mr. Olejnick to purchase a 2024 Ford F550 small dump truck from Coccia Ford for \$84,744.18 which includes a \$25,000.00 trade in on an older vehicle. Motion was seconded by Mr. Brown. Vote was 6-0 in favor.

**Parks and Recreation:** Mr. Cwalina provided a Parks & Recreation report: Account balance as of 7/31/24 was \$13,221.07. The Wing Fling total was just over \$6,000.00.

-Mr. Cwalina shared with Council the Playground Purchase Proposal created by the Parks & Recreation Committee. The proposal outlined a projected cost and proposed equipment that will be purchased for each park Tripp Street, Slocum Street and Loveland Park. The total proposed equipment cost will be approximately \$120,000.00 with funds coming from the \$250,000.00 Grant received by the Parks & Recreation Committee. Council inquired if the equipment was being purchased through Co-Star. Mr. Jones, member of Parks & Recreation Committee, confirmed that it was. A motion was made by Mr. Christian to approve the Playground Purchase Proposal. Motion was seconded by Mr. Majewski. Vote was 6-0 in favor. Mr. Breznay, Borough Manger, will post the proposal on the Borough's webpage and Facebook page.

-Mr. Cwalina shared that he will be forming a committee to undertake developing a plan for the seven acres that the Borough will be receiving from the Harry E. Coal Bank project. The plan will be presented to Council for review and final approval. Mr. Bobby Hughes, who has years of experience with

reclamation, will be attending committee meetings and sharing his knowledge of what types of grants are available to consider for this project.

**Liaison:** Mr. Majewski made a motion to add a Solar Energy Systems chapter to the Borough Zoning Ordinance (an example was provided by Luzerne County). The motion was seconded by Mr. Christian. Vote was 6-0 in favor.

-Mr. Majewski shared that funding for replacing steps in the rear of the Borough Building is being explored.

-Mr. Majewski shared that the Police Department is looking into installing a carport/pole barn for three police vehicles. A price quote will be needed.

-Mr. Majewski announced that Saint Elizabeth Anne Seton & Knights of Columbus will be holding a chicken dinner on 9/22/24. Dinners are takeout only. Tickets can be purchased at the door or by calling Mark Perugino at 570-762-2896.

**Attorney Yeager:** No report provided at this meeting.

**Mayor Concert:** No report provided at this meeting.

## ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-Mr. Christian shared that residents are pleased with the Warsaw Street water run off resolution.

-Mr. Christian questioned the status of the Monument project. Mr. Breznay shared that he is waiting for finalizing of wording for the monuments. Mr. Cwalina asked Council members to respond to the email sent out for review/thoughts on wording by the end of the week.

## MEETING OPENED TO THE PUBLIC

-Charlie Jones, 202 Watkins Street, asked what the attendance policy was for Council Members, Mayor, and Borough Solicitor. Mr. Breznay shared that for Council, the policy states that Council Members with three (3) unexcused absences in a row can result in Council having the discretion to decide whether or not to replace the Council Member. There is no policy for Borough Solicitor or Mayor.

Mr. Jones shared that the Wing Fling Committee is looking for 4 volunteer members. Interested residents can email Swoyersville Borough or the Wing Fling Committee.

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. Brown. Vote was 5-0 in favor. Meeting was adjourned at 7:26 pm. Next meeting will be held on October 7, 2024 at 6:30 pm.



Barb O'Donnell  
Borough Council Secretary

Pete Cwalina, Jr.  
Council President