

**NOVEMBER 4, 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. Brown, Mr. Olejnick, Mr. Cwalina, Mr. Voitek and Mr. Majewski. Also present were Mayor Concert, Gene Breznay, Borough Manager, Ray Mackiewicz, Zoning/Code Enforcement Officer, and Barb O'Donnell, Council Secretary. Councilman Christian and Attorney Yeager were noted as absent.

Council President Cwalina presented a Proclamation to Jake Dubaskas recognizing and honoring his time spent as a Junior Council Member of the Swoyersville Borough Council. Council President Cwalina presented a Proclamation to Tyler Ruddy recognizing and honoring his time spent serving as a Junior Council Member of the Swoyersville Borough Council.

A motion was requested by Mr. Cwalina to accept the minutes from the October 7, 2024 Regular Council meeting. A motion was made by Mr. Brown to approve the October 7, 2024 meeting minutes as presented. Motion was seconded by Mr. Majewski. Vote was 5-0 in favor.

Monthly bills totaling \$13,376.65 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 5-0 in favor.

### **PUBLIC COMMENTS**

-Tony Zambito, Jackson Street, revisited an issue he presented at the last Council meeting regarding placing a temporary storage unit on an empty lot he has. Mr. Zambito was provided with an ordinance that he feels is very vague and does not address his issue. Mr. Mackiewicz, Zoning/Code Enforcement Officer commented that Mr. Zambito will need to present the request at a Zoning Board Meeting. Meetings are held as needed monthly on the 3<sup>rd</sup> Thursday of the month. Mr. Mackiewicz will contact Attorney Aritz to question if a meeting can be held sooner. If all is resolved through the Zoning Committee, the request does not have to come back through Council for approval.

Mr. Zambito questioned the status of an empty house at 10 Chestnut Street that is located next to an empty lot that he owns. Mr. Mackiewicz shared that a stop work order was issued by Ken Shefler, Code Enforcement Officer, due to work performed not being up to standards required. Lot/grass is maintained; however, lot does have a pool, cars and some bags remaining.

-Paul Holena questioned why the Borough charges a fee to put up a fence. Mr. Mackiewicz explained that \$25.00 is applied as a Zoning fee. Mr. Holena shared that he filed a complaint on 8/31/24 with the Zoning Officer addressing a fence that was installed by a neighbor. The fence extends out to the edge of the road, causing the public to have to walk out onto the street. The fence was also placed on 13 feet of property that is not owned by the neighbor. Mr. Cwalina shared that Attorney Yeager, Borough Solicitor, does have information regarding this issue & will be advising how to proceed to address the issue. Gene Breznay, Borough Manager further shared that pictures of the fence/area were taken and provided to Attorney Yeager.

-A resident of 14 Stock Avenue shared a concern involving multiple vehicles being parked during all times in the vicinity where the "no parking on garbage days & snow days" are placed. The parking in this area has been creating

difficulty for those who live near the end of the Cul de sac to maneuver their cars out. A request was made to change the signs to "No Parking Any Time." Mr. Cwalina will have Chief Wolinsky look at the area and report back to Council.

-Craig Edwards, Church Street, President of Swoyersville Girls Softball League, shared that with the Girls Softball League now defunct; remaining League funds were being divided and distributed to benefit various departments/groups. Mr. Edwards presented a \$600.00 check to Council for the Swoyersville Police Department. Mr. Cwalina & Council members thanked Mr. Edwards for the donation.

## BOROUGH MANAGER'S REPORT

-Mr. Breznay, Borough Manager reported that the 2025 Budget is being worked on. Council scheduled a work session on Monday, November 11, 2024 at 6:00 pm to finalize the budget.

-Mr. Breznay shared that the work will begin on the ponding basin on Slocum Street in approximately two weeks. Topple Trucking will be removing silk/sediment along with reseeding and laying of straw panels to improve drainage seeping into the ground. WVSA is providing the funding for this work.

## ZONING OFFICER/CODE ENFORCEMENT REPORT

-Mr. Mackiewicz presented the Zoning/Code Enforcement Report for October 2024. There were 2 dumpster permits & 9 zoning permits issued. 5 residential rental inspections & 4 rental re-inspections were completed. Total funds collected in October 2024 was \$915.00. Six inspections are scheduled for November 2024. Eight (8) complaints were reported and addressed. Eight vehicles were removed from properties located on Main, Simpson, Shoemaker & Railroad Street without incident. One blighted garage was removed from Shoemaker Street. Two Cease & Desist orders were served for operating a Business in an R1 district. Mr. Cwalina requested a motion to winterize the property at 166 Shoemaker Street. Mr. Olejnick made a motion to have someone winterize the property at 166 Shoemaker Street. Motion was seconded by Mr. Majewski. Vote was 5-0 in favor.

-Mr. Cwalina reported that the Swoyersville Borough Planning Commission members have reviewed the R. Duda Subdivision plans and without exception have voted to recommend that Council approve the subdivisions at 1218 Main Street and 765 Main Street. A motion was made by Mr. Olejnick to approve the R. Duda subdivision at 1218 Main Street. Motion was seconded by Mr. Brown. Vote was 5-0 in favor. A motion was made by Mr. Olejnick to approve the R. Duda subdivision at 765 Main Street. Motion was seconded by Mr. Brown. Vote was 5-0 in favor.

## COMMITTEE REPORTS

**Finance:** Mr. Voitek presented the September 2024 Treasurer's Report. **General Fund:** beginning checkbook balance: \$203,881.47; interest & revenues for the month: \$184,565.37; Transfers from PLGIT for the month: \$20,000.00. Transfers to PLGIT for Month: \$100,000.00; Expenses for the month: \$270,904.13; ending checkbook balance: \$37,542.71. **Liquid Fuels:** beginning checkbook balance: \$142.00; interest & revenues for month: \$2.03; Transfers from PLGIT for month: \$91,300.00; Transfers to PLGIT for Month: \$0.00; expenses for the month: \$91,279.93; ending checkbook balance: \$164.10. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$23,606.76; interest & revenues for the month: \$20,636.76; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$15,000.00; expenses for the month: \$7,271.09; ending checkbook balance: \$21,972.43. **Solid Waste Collection:** beginning checkbook balance: \$10,111.20; interest & revenues for the month: \$27,625.65; Transfers from PLGIT for month: \$28,800.00; Transfers to PLGIT for month: \$10,000.00; expenses for the month: \$44,085.76; ending checkbook balance: \$11,651.09.

-Mr. Voitek provided an update on the security camera installation for Roosevelt Park. Cameras have been installed and the project is complete. Mr. Voitek will work with Parks & Recreation regarding the expansion of cameras to other parks in the Borough.

**Fire Department:** Mr. Cwalina reported that Kingston EMS responded to 54 calls in September. Maltby responded to 22 calls. Broderick#2 responded to 14 calls.

**Police Department:** Mr. Brown presented the Police Department report for October 2024 which included a review of Crossing Guard hours. There were 192 calls for service, one motor vehicle accident and 15 school crossing guard duty reported. Fees collected totaled \$250.17. A motion was made by Mr. Brown to place monies in the proper funds. Motion was seconded by Mr. Olejnick. Vote was 5-0 in favor.

**Street Department:** No report presented at this meeting.

**Parks and Recreation:** Mr. Cwalina provided a Parks & Recreation report: Account balance as of the October 16, 2024 meeting was \$14,110.21. Upcoming events include Brandon's Forever Home drive which will be starting with sorting of donated items set for 12/03/24 at 6:00 pm. The board is awaiting an additional quote for paving/resurfacing of the basketball courts. The new playground equipment should be shipped on or around October 26, 2024. Contact has been made with a representative to order generational swings. Funds from the Wing Fling account will be used to purchase the generational swings. The next Recreation Board meeting will be held on Wednesday, November 20, 2024 at 6:00 pm. Public is welcome to attend.

-Mr. Cwalina shared that a Land Grant (Culm Bank Project) Committee has been formed. A Land Grant meeting was held on 10/23/24 with meeting minutes provided to Swoyersville Council members. A summary of items discussed at the meetings held was provided. In response to resident concerns surrounding a white substance spread on the donated property, Mr. Cwalina shared that when the ground was graded lime was also placed to help the grass grow. In addition, Hank Zelinski, project manager shared that exterminators will be hired to address the increase of rodents reported by surrounding residents. The next Land Grant meeting will be held at the Borough building on November 6, 2024 at 6:00 pm. Meetings are open to the public.

**Liaison:** Mr. Majewski made a motion to install three (3) additional lights near Loveland Park (1 flood light and 2 streetlights). Motion was seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mr. Majewski shared the Borough Office & Tax Office is closed tomorrow for Election Day; however, trash/yard waste/recyclables removal will occur as per schedule. Cardboard pick-up is November 7, 2024 and November 21, 2024. For Veteran's Day, trash & other pick-up services will occur as scheduled. The Borough Office is also closed on Thanksgiving Day. Mr. Majewski reminded residents that the face value for Taxes is due by 11/30/24. Mr. Majewski reminded residents that a burn ban was initiated by Mayor Concert and remains in effect until further notice.

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

**Mayor Concert:** Mayor Concert shared that a new tree has been requested to replace the tree that was planted in memory of Jerry Suda. Dave Hampton, Street Commissioner will get another tree. The Suda family is appreciative of the replacement. Mayor Concert thanked all who participated in the Trunk or Treat event, including the Police Department and Councilman Majewski. A Veteran's card making event was held and resulted in 250 cards being made. Cards will be mailed out on Thursday. The Borough Christmas parade is scheduled for December 7, 2024, starting at 4:00 pm. Mayor Concert thanked officer April Dulsky who helped him handle a homeless encampment issue. Along with the Luzerne Police

Department, the area is now being cleaned up. Mayor Concert extended get well wishes to Ken Shefler, Swoyersville Code Enforcement Officer who is recovering from a recent surgery.

-Mayor Concert questioned if the Zoning/Code Enforcement Officer will be completing additional training & certifications recommended by Mr. Ken Shefler and required for his role. Mr. Mackiewicz, Zoning Code Enforcement Officer shared that he has spoken to Mr. Shefler and is aware of training/certifications recommended and is looking into attendance.

## **ADDITIONAL COMMENTS FROM BOROUGH COUNCIL**

No additional comments received from Borough Council members.

## **MEETING OPENED TO THE PUBLIC**

-Mark Nenichka, 77 Brook Street, questioned if the crew who is cleaning & rehabilitating Abrams Creek will also be rehabilitating Wade Run Creek as well? Mr. Breznay, Borough Manager, reported that they will not be addressing Wade Run Creek. Mr. Nenichka shared an issue that currently exists with Wade Run Creek behind 76 Brook Street. Details were provided. Dave Hampton, Street Commissioner, is aware. Mr. Olejnick will follow up with Mr. Hampton.

-Mayor Concert requested an update from Mr. Nenichka relating to veterans' markers found uninstalled at Dennison Street Cemetery. Mr. Nenichka shared that 9 markers were found in the weeds near the end of the cemetery back in July 2024. When shared with Dennison Cemetery, he was told that fees were never paid to have the markers installed. Mr. Nenichka comprised a list of names to whom the markers belonged and met with Aaron Kaufer and the Swoyersville American Legion to see what could be done to help get the markers installed. Recently, an additional 9 markers were discovered after the cemetery cut grass that was being addressed by our Zoning Officer. The additional 9 names were added to the list. The Swoyersville American Legion has issued a check to Dennison Cemetery to have 7 markers installed. Mr. Romanchik, American Legion, took the list of remaining names to Veteran's Affairs who will see if they can provide funds to have the remaining markers installed.

-Ray Koval, Dana Street, shared that when the curb near his home (Dana and Mulberry) was done, the corner post of his fence was exposed. He has shared his concern previously and asks when it can be fixed. Mr. Olejnick requested that Mr. Breznay, Borough Manager reach out to Mike Amato regarding having the curb/exposed post repaired.

Mr. Cwalina called an Executive Session at 7:32 pm. Executive Session ended at 07:54 pm.

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 7:55 pm. Next meeting will be held on December 2, 2024 at 6:32 pm.



Barb O'Donnell  
Borough Council Secretary

Pete Cwalina, Jr.  
Council President