

DECEMBER 2, 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. Voitek and Mr. Majewski. Also present were Mayor Concert, Attorney Yeager, Solicitor, Gene Breznay, Borough Manager, Ray Mackiewicz, Zoning/Code Enforcement Officer, Dave Hampton, Street Commissioner and Barb O'Donnell, Council Secretary. Council Member Brown was noted as absent.

A motion was requested by Mr. Cwalina to accept the minutes from the 11/04/24 Regular Council meeting. A motion was made by Mr. Majewski to approve the minutes as presented. Motion was seconded by Mr. Olejnick. Vote was 4-0 in favor with Councilman Christian abstaining from the vote.

Monthly bills totaling \$38,253.33 were presented by Council Secretary, Barb O'Donnell. Mr. Christian acknowledge the bills involved with winterization of 166 Shoemaker and shared that process should be started to place a lien on the property to recap expenses incurred. Mr. Olejnick asked if the expense involved with repair to sewer line repairs will be reimbursed by WVSA. Mr. Breznay shared the cost will be reimbursed. A motion was made by Mr. Christian to approve the monthly bills, and motion was seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mr. Cwalina shared a thank you card received from boy scout Kyle Christian, on behalf of Troop 143, thanking the Borough for a recent donation.

PUBLIC COMMENTS

-Paul Holena, 181 Hemlock St. shared that on 8/31/24 he filed a complaint with the Borough involving a neighbor's fence/flower bed that extends out to the edge of the road and extends onto Borough property. Mr. Holena feels the fence creates a safety concern as the public has to walk out onto road to pass it. Mr. Mackiewicz, Zoning/Code Enforcement Officer, reported that it is a temporary fence, not permanent. In addition, there is no sidewalk on the Borough easement and walking in that area does not tend to occur. Attorney Yeager, Borough Solicitor, shared that it is up to Council whether or not to have the resident remove the portion of fence in question; however, in his opinion, this issue is a neighbor dispute and does not warrant Council/Borough action. Council will discuss the issue further at a special meeting. Council will follow up with Mr. Holena with the final decision.

-Amy Brzoska, 55 Bohac St., shared noise, quality of life and parking ordinance related issues involving a business located at 69 Bohac St. Ray Mackiewicz, Zoning & Code Enforcement Officer shared that he has received complaints regarding parking from residents. Ms. Brzoska shared she has also called the police department regarding the vehicle/truck noise that occurs as early as 1:30 am. Council members will take a look at the property and get Zoning Board involved as needed.

BOROUGH MANAGER'S REPORT

-Mr. Breznay, Borough Manager requested a motion and vote to pass the 2025 Real Estate Tax Millage ordinance. The millage rate will be 2.55 mills. A motion was made by Mr. Olejnick to pass the 2025 Real Estate Tax Millage ordinance and seconded by Mr. Christian. Vote was 5-0 in favor.

-Mr. Breznay requested a motion and vote to pass the 2025 Annual Budget. A motion was made by Mr. Olejnick and seconded by Mr. Christian. Vote was 5-0 in favor. It was noted that there will be no increase in borough garbage stickers, recycling stickers & sewer fees.

-Mr. Breznay requested a motion and vote to name a new Planning Commission Member. There are two applicants to consider. Mr. Christian recommended that this motion be tabled until a special meeting is held. Council is interested in interviewing both applicants and agreed to discuss further at a special meeting.

-A Special Meeting will be held on Monday, December 16, 2024 at 06:00 pm in Council Chambers.

-Mr. Breznay shared a thank you card received from the Richard Zekus family. Mr. Zekus, an employee of Swoyersville Borough passed away recently.

-Mr. Breznay shared that the work will begin on the ponding basin on Slocum Street with Topple Trucking. They will be cutting the edge of the basin, removing some trees, and will retrofit the basin for better drainage. Debris/garbage found on the banks will not be removed as part of this project. If work is completed this year, they will be back in the spring to hydroseed exactly as they did with several other basins in the borough.

ZONING OFFICER/CODE ENFORCEMENT REPORT

-Mr. Mackiewicz presented the Zoning/Code Enforcement Report for November 2024. There were 2 dumpster permits & 2 zoning permits issued. One zoning appeal of a Cease & Desist case; one quality of life fine issued, and 13 residential rental inspections were completed. Total funds collected in November 2024 were \$1,750.00. Five inspections are scheduled for December 2024. Eight (8) complaints were reported and addressed. Four vehicles were removed from properties located on Main, Warsaw, & upper Hughes without incident. One home was tagged unfit for human habitation by Zoning & State Building Inspector.

-Mr. Mackiewicz requested a motion and vote to approved proposed increases in Dumpster, Zoning Applications and Zoning Hearing/Appeals fees:

A motion was made by Mr. Majewski to approve an increase in Residential Dumpster Fees (10-day permit) from \$25.00 to \$35.00. Motion was seconded by Mr. Olejnick. Vote was 5-0 in favor.

A motion was made by Mr. Olejnick to approve an increase in Construction Dumpster Fees (45-day permit) from \$25.00 to \$50.00. Motion was seconded by Mr. Majewski. Vote was 5-0 in favor.

A motion was made by Mr. Olejnick to approve increasing the Zoning Permit Application Fee from \$25.00 to \$35.00. Motion was seconded by Mr. Majewski. Vote was 5-0 in favor.

A motion was made by Mr. Olejnick to increase the Zoning Hearing & Appeal Fee (Residential) from \$300.00 to \$500.00. Motion was seconded by Mr. Voitek. Vote was 5-0 in favor.

A motion was made by Mr. Voitek to increase the Zoning Hearing and Appeal Fee (Commercial) from \$500.00 to \$700.00. Motion was seconded by Mr. Olejnick. Vote was 5-0 in favor.

-Mr. Mackiewicz updated Council on 166 Shoemaker Street. Citations will begin to be issued for vehicle & maintenance of property violations. Attorney Yeager reported he spoke to the resident's lawyer and shared that a letter will be forwarded to the resident informing her of the Borough's position that the home is irreparable and needs to be demolished. The resident will have the first opportunity to demolish the home and if she does not, the Borough will start taking steps to have a lien placed against the property to cover all costs incurred by the Borough.

COMMITTEE REPORTS

Finance: Mr. Voitek presented the October 2024 Treasurer's Report. **General Fund:** beginning checkbook balance: \$37,542.71; interest & revenues for the month: \$94,897.71; Transfers from PLGIT for the month: \$140,000.00. Transfers to PLGIT for Month: \$0.00; Expenses for the month: \$192,911.98; ending checkbook balance: \$79,528.44. **Liquid Fuels:** beginning checkbook balance: \$164.10; interest & revenues for month: \$2,235.65; Transfers from PLGIT for month: \$10,000.00; Transfers to PLGIT for Month: \$0.00; expenses for the month: \$12,267.91; ending checkbook balance: \$131.84. **Sanitary/Storm Water Assessment:** beginning checkbook balance: \$21,972.43; interest & revenues for the month: \$16,026.16; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$20,000.00; expenses for the month: \$6,887.89; ending checkbook balance: \$11,110.70. **Solid Waste Collection:** beginning checkbook balance: \$11,651.09; interest & revenues for the month: \$20,314.42; Transfers from PLGIT for month: \$0.00; Transfers to PLGIT for month: \$5,000.00; expenses for the month: \$10,119.49; ending checkbook balance: \$16,846.02.

-Mr. Voitek requested a motion and vote to purchase an additional security camera from CVI for Roosevelt Field that will record the 7-acre reclaimed parcel recently given to Swoyersville Borough. The cost of camera and installation will be \$549.00. A motion was made by Mr. Majewski and seconded by Mr. Christian. Vote was 5-0 in favor.

Fire Department: Mr. Christian reported that Kingston EMS responded to 41 calls. Maltby responded to 17 calls.

Police Department: Mr. Cwalina presented the Police Department report for November 2024 which included a review of Crossing Guard hours. There were 169 calls for service, four motor vehicle accidents and 12 school crossing guard duty reported. Fees collected totaled \$122.94. A motion was made by Mr. Cwalina 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 31, 2024 meeting was \$12,220.47. Meeting minutes were reviewed which included a summary of checks distributed and deposits made. All new playground equipment has been delivered. Some equipment may be installed before end of 2024; however, it is most likely to be installed in the spring. Upcoming events involve the annual snowflake scavenger hunt, in partnership with Forty Fort. The next Recreation Board meeting will be held on 12/18/24 at 6:00 pm. Public is welcome to attend.

-Mr. Cwalina shared that a Land Grant (Culm Bank Project) Committee continues to meet with the next meeting scheduled for 12/9/24, 6pm. Moving forward meetings will occur monthly on the second Monday of each month at 6:00 pm. A summary of ongoing actions taken and considerations involving the property was presented (hydroseeding, review of rodent issue with plan for resolution, working with Sanitary Authority to evaluate possibility of turning a small pond that exists on the property into a water garden and creation of a path that will provide access from Barilla Park). A few ideas for the property were shared.

Liaison: Mr. Majewski provided an update on the Loveland Park lighting project. The old spotlight has been removed. A new spotlight and 2 additional streetlights will be placed. UGI is currently working on the project.

-Mr. Majewski reported that a depression in the new pavement between 36 & 46 Maple Drive is currently being addressed.

-Mr. Majewski shared that the Cul de sac parking issue on Stock Avenue is still being reviewed.

-Mr. Majewski asked when the 2025 recycling stickers will go on sale. Gene Breznay, Borough Manager shared the stickers will go on sale starting December 16, 2024 at the Borough Building and also Hospodar's Auto Service & Mini Mart.

Attorney Yeager: No report provided at this meeting.

Mayor Concert: Mr. Majewski, on behalf of Mayor Concert, shared the Christmas parade will be held on Saturday, December 7, 2024 at 4:30 pm. Council members, organizations & businesses that would like to participate can reach out to Mayor Concert at 570-239-4124. Mayor Concert would like to donate his park bench to the Parks & Recreation Committee. The committee can decide where they would like to place it.

ADDITIONAL COMMENTS FROM BOROUGH COUNCIL

-Mr. Christian shared there have been some issues with certain Facebook pages containing the name Swoyersville that are listed as private; however, he feels verge on the edge of government. Mr. Christian reported he had submitted a post sharing with residents that anyone needing help with plowing could reach out to him for assistance. The post was never approved. In addition, a resident was upset that her post submitted, sharing that Mr. Christian had helped her & was available to assist others, was denied. After directly contacting the page administrator, the resident's comment was approved and posted. Mr.

DECEMBER 16, 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. Brown, Mr. Olejnick, Mr. Cwalina, Mr. Voitek and Mr. Majewski. Also present were Attorney Yeager, Solicitor, Gene Breznay, Borough Manager, Ray Mackiewicz, Zoning/Code Enforcement Officer, and Barb O'Donnell, Council Secretary. Mayor Concert was noted as absent.

-A motion and vote were requested by Mr. Cwalina to accept the new police contract. Mr. Majewski made a motion to accept. Motion was seconded by Mr. Voitek. Vote was 6-0 in favor.

-A motion and vote were requested by Mr. Cwalina to add a new member to the Swoyersville Planning Commission. Mr. Brown made a motion to add Kyle Perry as the new Planning Commission member. Motion was seconded by Mr. Olejnick. Vote was 6-0.

-Mr. Cwalina initiated a discussion regarding an encroachment complaint involving a property on Avenue A. Attorney Yeager shared his opinion & noted that he and a few Council members did visit the property. His recommendation is to leave property as it is. Council members agreed and closed the matter. Attorney Yeager will draft and forward a letter notifying the resident of Council's decision.

-Mr. Cwalina initiated a discussion regarding a donation to EPCAMR. EPCAMR is assisting the Borough in obtaining grants for development of the 7-acre parcel recently donated to Swoyersville. While EPCAMR is doing a great job assisting the Borough and member attendance at land development meetings is appreciated, Mr. Cwalina shared that with that relationship is place donating at this time may not be in the best interest of the Borough. Council members agree.

-Mr. Cwalina initiated a discussion regarding issues/concerns involving 69 Bohac Street (Bohac Diesel). Mark Nenichka, Zoning Board member, provided input regarding history of the property & concerns that exist. Attorney Yeager shared this situation is a Zoning Board issue and not an area that Council should be involved with. A recommendation was made for the Zoning Board and Attorney Aritz to evaluate and address. It was noted that a Zoning Board meeting is scheduled for Thursday evening.

MEETING OPENED TO THE PUBLIC

With no further issues or comments, Mr. Cwalina requested a motion to adjourn the meeting. Motion made by Mr. Olejnick & seconded by Mr. Brown. Vote was 6-0 in favor. Meeting adjourned at 06:18 pm.



Barb O'Donnell
Borough Council Secretary

Pete Cwalina, Jr.
Council President

Christian feels postings have become selective & that the page should be redone removing Swoyersville from the title.

MEETING OPENED TO THE PUBLIC

-Charlie Jones, 202 Watkins Street, suggested that with tomorrow being "Giving Tuesday" that the Borough consider a donation to a drive being held by the Eastern Pennsylvania Coalition for Abandoned Mine Reclamation (EPCAMR). Council will discuss the possibility of a donation at the upcoming special meeting.

-A resident questioned when the last time the millage tax was increased and what is the increase a result of. Mr. Cwalina shared that the last increase was two years ago when tax experienced a 1/4 increase. Mr. Breznay shared is that funding received from the American Rescue Act has been completely used as it was meant to be. Some of the funding was used to fill the Police Department & Fire Department staffing needs. In addition, insurance and utility costs have increased. It is estimated that the average increase per year is \$67.00.

-Mr. Cwalina extended Happy Holidays & Happy New Year wishes to everyone and extended a thank you for council members and borough employees for all that they do.

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 7:32 pm. Next meeting will be held on January 6, 2025 at 6:30 pm.



Barb O'Donnell
Borough Council Secretary

Pete Cwalina, Jr.
Council President