



**BOROUGH OF SWISSVALE
SPECIAL COUNCIL MEETING AGENDA**

APRIL 15, 2020

1. Meeting called to order at 7:04 PM.
 2. Roll Call – C. Ansell – here, W. Scales – here, M. Stanton – here, D. Swartzwelder – here, D. Petrarca – here, W. Price – here, A. Salisbury – here.
 3. Public Comment
 - a. President Salisbury read public comments from three residents into the record. Copies of the public comments are attached to and incorporated into these minutes.
 - b. Council interviewed the four candidates (Edward Brown, Frank Berry, Shawn Alfonso-Wells, and Douglas Connor) for the open council position.
 4. Approval of Minutes – Motion to approve the minutes from the February 26, 2020 Agenda meeting, the March 4, 2020 Council meeting and the Emergency Meeting of Council on March 29, 2020. Motion by M. Stanton, second by W. Scales. All ayes, motion carries.
 5. Agenda Items:
 - a. Motion to approve **Resolution 20-05**, approving a contract with Massarelli Excavating and Demolition on an emergency basis to mitigate clear and present danger to the health, safety and welfare of the residents of the Borough of Swissvale. Motion by M. Stanton, second by D. Petrarca. Roll Call: C. Ansell – yes, W. Scales – yes, M. Stanton – yes, A. Salisbury – yes, D. Petrarca – yes, W. Price – yes. All ayes motion carries.
 - b. Motion to approve **Resolution 20-06** authorizing the submission of and signatories for the Keystone Opportunities Grant for proposed renovations to the Swissvale Library. Motion by M. Stanton, second by D. Petrarca. Roll Call: C. Ansell – yes, W. Scales – yes, M. Stanton – yes, A. Salisbury – yes, D. Petrarca – yes, W. Price – yes. All ayes motion carries.
 - c. Motion to ratify the hiring of Ryan Waros and Justin Woodard as part time police officers. Motion by M. Stanton, second by D. Petrarca. Roll Call: C. Ansell – yes, W. Scales – yes, M. Stanton – yes, A. Salisbury – yes, D. Petrarca – yes, W. Price – yes. All ayes motion carries.
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- d. Motion to ratify the renewal of the General Liability and Casualty Insurance policy with EMC Insurance Company for the period of April 4, 2020 through April 4, 2021 in annual amount of \$103,371. Motion by D. Petrarca, second by M. Stanton. Roll Call: C. Ansell – yes, W. Scales – yes, M. Stanton – yes, A. Salisbury – yes, D. Petrarca – yes, W. Price – yes. All ayes motion carries.
 - e. Motion to approve the first year option year of the SHACOG Salt Contract with Cargill, Inc. at the rate of \$79.30 per ton for the 2020-2021 winter season. Motion by D. Petrarca, second by M. Stanton. Roll Call: C. Ansell – yes, W. Scales – yes, M. Stanton – yes, A. Salisbury – yes, D. Petrarca – yes, W. Price – yes. All ayes motion carries.
 - f. Motion to continue Clyde Wilhelm in the position Manager at current salary and benefits until further action of Council. Motion by C. Ansell, second M. Stanton. Roll Call: C. Ansell – yes, W. Scales – yes, M. Stanton – yes, A. Salisbury – yes, D. Petrarca – yes, W. Price – yes. All ayes motion carries.
 - g. Motion to appoint **Shawn Alfonso-Wells** to the vacant seat on Council for the remainder of the term, ending on January 3, 2022. Motion by D. Petrarca, second by C. Ansell. Roll Call: C. Ansell – yes, W. Scales – yes, M. Stanton – yes, A. Salisbury – yes, D. Petrarca – yes, W. Price – yes. All ayes motion carries.
 - i. Ms. Alfonso-Wells was sworn in to office by Mayor Swartzwelder.
6. Finance Report –
- Paid Bills as of **March 31, 2020** in the amount of **\$749,770.41**
 - Unpaid Bills as of **March 31, 2020** in the amount of **\$98,560.90**
 - Motion by D. Petrarca, second by M. Stanton. All ayes, motion carries.
7. Unfinished Business - none
8. New Business
- a. Members of council thanked all Borough employees who are working through the COVID-19 Pandemic. They also thanked the employees for their patience as council works to correct current issues with the condition of the borough building.
 - b. Motion to approve **Resolution 20-07**, extending the Declaration of Disaster Emergency issued by the Mayor of the Borough of Swissvale until the Mayor of Swissvale issues a proclamation or Borough Council passes a resolution declaring that the threat has abated. Motion by D. Petrarca, second by M. Stanton. All ayes, motion carries.
 - c. Motion to approve **Resolution 20-08**, extending the payment date for Garbage Collection Fees and Business Privilege Tax from April 30, 2020
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to July 15, 2020. Motion by D. Petrarca, second by M. Stanton. All ayes, motion carries.

9. Motion to adjourn by M. Stanton, second by D. Petrarca. All ayes, motion carries.

10. Meeting adjourned at 9:08 PM.

Dear Members of Swissvale Borough Council,

Today, April 14, 2020, the Pittsburgh Post-Gazette had an editorial on the unacceptability of Pittsburgh City Council's approach to holding meetings at this time of social distancing. The first link below is the editorial and the next two links are articles that give some background on this issue.

- <https://www.post-gazette.com/opinion/editorials/2020/04/14/Public-access-to-meetings-Tape-delaysdon-t-meet-Sunshine-Act-standards/stories/202004100044>
- <https://www.post-gazette.com/local/city/2020/03/16/City-Council-Chambers-closed-public-urged-toissue-comment-via-email-mail-or-drop-box/stories/202003160079>
- <https://www.post-gazette.com/local/city/2020/04/07/City-Council-pre-recorded-replayed-citychannel-pittsburgh-chambers-remain-closed/stories/202004070088>

It is my hope that Swissvale can do better than the City of Pittsburgh and other communities in being transparent, both during this unusual time and into the future. Guidance during this situation on both the Sunshine Act and the Right to Know Law is available at the PA Office of Open Records (OOR) (<https://www.openrecords.pa.gov>). Generally, this is information the minimum to comply with the law. I think that Swissvale can do significantly more than the minimum and so become a leader of municipalities. As the OOR states "As a starting point, it's key for agencies to remember that transparency builds trust, especially in times of crisis."

Sunshine Act Guidance

<https://openrecordspennsylvania.com/2020/03/11/the-sunshine-act-and-covid-19/>

As stated in this guidance from the OOR, meetings should be recorded and made available. This availability should be done as soon as possible and in multiple formats and at multiple locations. There are a number of links to articles at the bottom of this guidance, as well as some questions and OOR responses. These are informative and should be reviewed.

Right to Know Law Guidance

<https://openrecordspennsylvania.com/2020/03/12/the-rtkl-and-covid-19/>

This guidance mentions a Continuity of Operations Plan (COOP). Does Swissvale have a COOP? If so, when was it last updated? When was it last viewed by members of Borough Council? Please post it or other similar steps (as mentioned in paragraph 5 of the link above) on the Swissvale Borough web site. To become a leader in transparency, Swissvale will need to prioritize the informing of citizens and taxpayers. This includes all of the reports of all Boards and Commissions, as well publicizing the meeting schedules, agendas and minutes of Committee meetings of the Borough Council.

Sincerely,
Darrell Rapp
1125 Milton St
RappD99@gmail.com

Concerning the structural issues of the borough building – I cannot help but be shocked and dismayed by the situation that we, as a community are faced with due to the willful acts of negligence on the part of the borough manager and the borough council at large.

Where we are today is only a result of what has happened in the past. It is through the failure on the part of our elected officials to maintain the facilities to which they have been entrusted. Deferred maintenance has left our borough's Municipal Building in such a state of disrepair that we had borough employees whose lives were imperiled, which is absolutely unacceptable. In fact, I would go so far as to say criminal. Borough Manager, Clyde Wilhelm, has been proposing the budget for years now, and my understanding is that the council has been expected to (and generally complied with) passing the budget without much question. If these budgets had included regular maintenance of the facilities (which is unknown as the budgets are not available online, and it is currently impossible for a resident to go to the administrative offices to request to review the budgets that have been passed over the last 5-10 years), then we should not have had a wall collapse, nor should we have had a barricade in front of the building for most of the past year.

Furthermore, our Mr. Wilhelm has been serving as not only Borough Manager, but as Fire Chief and head of Code Enforcement. As someone who has been in the Municipal Building nearly every day for the past many years, he should have full awareness of the condition of the building and ensured that proper maintenance was allocated for in his proposed budgets, and carried out by either contractors of our very own Department of Public Works.

There have been complaints about the condition of the stairs for years, there are lights that have been out of operation for months on end that impose a safety issue for not only the community at large, but also for the Borough's own police department. The halogen lights that would illuminate the building provide additional lighting for a portion of the street that does not otherwise have any illumination. The light above the main entrance to the Municipal Building has frequently been left burned out or shorted out without being replaced for months on end. Clearly, these are issues that should have been addressed long ago, they have been brought up repeatedly to the Council's attention, and yet there is the repeated failure on the part of our officials to act on them.

Additionally, between the failure on the part of both Mr. Wilhelm and Mr. Bachy, I have concerns with continuing to engage Mr. Wilhelm as Borough Manager after accepting his resignation, as I would with Mr. Bachy to step into the position of Manager if we were to follow through with the separation of Mr. Wilhelm from this position. On January 6, 2020 we had an acknowledgement from the head of the Department of Public Works (and Borough Assistant Manager), Mr. Greg Bachy, that there is not a maintenance log the use and repair of our Public Works vehicles, which is concerning as this shows a lack of transparency and responsibility. In fact, it suggests there is an institutionalized idea of neglect and lack of concern for the infrastructure paid for by the public.

Jonathan Guldenschuh

7618 Roslyn St, Swissvale, PA 15218

Augie and Felicia Turano
1306 LaClair Avenue
Swissvale, PA 15218

April 13, 2020

Council
Borough of Swissvale
7560 Roslyn Street
Swissvale, PA 15218

We would like to make a statement regarding the APRIL 15, 2020 SPECIAL COUNCIL MEETING AGENDA and the motion to continue Clyde Wilhelm as Borough Manager.

Since Mr. Wilhelm was appointed as Borough Manager of Swissvale, our community has had over four consecutive years of budget surplus and seen major capital investments put into renovation and repair projects as well as increased attention to all of our local services and needs. Just a few of the projects and accomplishments that come to mind are:

- gas and sewer line replacements
- repaving and street repair
- new traffic signals and safe (and beautiful) pedestrian crosswalks
- work on bicycle trails
- reducing the number of abandoned structures in our community
- no increase in property taxes
- securing a facilities building to store public works equipment
- work to develop the Carrie Furnace site and increase the potential for new jobs
- work with neighboring communities to provide contracted services
- a successful recycling program
- accessing and leveraging major grant funding opportunities

There are many things that Mr. Wilhelm and his colleagues do each day that we (and most Swissvale residents) are not aware of—and all of these efforts make Swissvale a more vibrant and livable community. We have many projects that still need to be done and, in these difficult times due to the corona virus and its long-term after effects, we will need strong, unified leadership.

We are proud to be residents of Swissvale and appreciate the work that Mr. Wilhelm has done. He is uniquely suited to accomplish necessary tasks due to his long history with the community and his vast experience as our Fire Chief. We hope that the Swissvale Borough Council adopts the motion to continue his employment as Borough Manager with (at least) his current salary and that he reconsiders his resignation temporarily so that he can continue to work on many crucial projects. Thank you for the opportunity to submit a comment!

Augie and Felicia Turano
