



**BOROUGH OF SWISSVALE
REGULAR MEETING MINUTES**

July 3, 2019

1. Meeting called to order at 7:00 PM.
2. Invocation – Pastor Dennis Handley
3. Pledge of Allegiance – Councilwoman Patricia Gionta
4. Roll Call – P. Gionta – here, D. Petrarca – here, J. Grose – here, D. Rapp – here, T. Ward – here, A. Salisbury – here, D. Swartzwelder – here, M. Stanton – here.
5. Public Comment
 - A. Johnny Grandizio (2624 Woodstock Terrace)
 - i. There is a street light that is burnt out on Woodstock Terrace and Mr. Grandizio wants to get that replaced. He contacted the power company about getting a third street light on Woodstock Terrace and was told to address his concern with the Borough. In order to get a new street light council would have to approve the installation and addition to the current billing. Members of council want to know the distance between street lights on other streets in the borough before approving the installation of a new light on Woodstock Terrace.
 - ii. Mr. Grandizio spoke with the Water Authority about water damage to the top half of Woodstock Terrace caused by runoff from Woodstock Avenue.
 - iii. Some of the buildings on Woodstock Terrace are abandoned and the grass and weeds are overgrown. Mr. Wilhelm will direct code enforcement to address the problem areas and public works can take care of any properties that are completely abandoned.
 - B. Miranda Crotsley (7930 St. Lawrence)
 - i. Would like to express opposition to the borough's acquisition of the property on McCague Street and has a few questions she wants to ask council. Ms. Crotsley wants to know when the sales agreement was sent to the borough, if they met in executive session to discuss it, and if the terms of the agreement will be made public before a vote.

1. The sales agreement was returned to the borough yesterday, council did not meet to discuss it and it is not required that the borough release the agreement before they vote on it but they are welcome to do so if they would like.
 - ii. Ms. Crotsley wants to know if council plans to vote on the agreement tonight, if it was originally going to be a part of the solicitor's report, and if there have been any changes since the last time it was discussed publicly.
 1. Council is prepared to move forward to a vote after the discussion. It was originally going to be a part of the solicitor's report but council requested that it be added to the agenda. There were a few minor changes including the names of the current owners, the due diligence period was reduced from 180 days to 90 days, and that the transfer taxes be split equally.
 - iii. Ms. Crotsley wants to know if the borough has contacted the owner of Whip Appeal to help them relocate their business.
 1. The borough has not contacted the owner of Whip Appeal because council has not yet approved the sales agreement. There would be no reason to discuss relocation if the sales agreement was not accepted.
 2. Councilwoman Salisbury reached out on a personal level to talk to the owner of Whip Appeal.
 - iv. Ms. Crotsley wants to know if other options for relocation were discussed publicly.
 1. Council has had many discussions over the past few years regarding the state of the current municipal office and possible options for relocation. This entire process has been discussed numerous times in the public. Councilman Rapp wanted more information about the current building and would like to have more public discussion about the entire plan.
- C. Margot Poindexter (7809 Westmoreland) & Al Haski (Columbia)
- i. During heavy rainstorms the rain washes out loose asphalt and causes the drains on Westmoreland to clog with debris. Mr. Haski is concerned that this problem is caused by several potholes in the alley behind Columbia. Ms. Poindexter has presented council with photos of the drains and the potholes in the alley that are the likely cause of the clog. Mr. Bachy will send out a crew to unclog the drains and address the loose asphalt.

D. Rachel Thompson (7113 Schoyer)

- i. Ms. Thompson felt that there wasn't much of a discussion during last week's agenda meeting. She feels that council should take their time with the discussion and allow for questions after each item. Residents should be informed about what Council is going to vote on.
- ii. Ms. Thompson is still concerned about the possibility of garbage trucks stored at Memorial Park.
 1. Mr. Wilhelm said that if council votes to purchase the McCague Street property there will be enough space there for the garbage trucks and they won't need to use Memorial Park.
- iii. Ms. Thompson heard that there was an open position on the Recreation Advisory Committee and wants to know if that was advertised.
 1. All open positions were advertised back in January when they became available. The borough has not yet heard a response for this position.
- iv. Ms. Thompson is a proponent of brick streets. She feels that they are better for the borough and that they should not be taken away.
- v. Ms. Thompson wants to know if there have been any changes to hiring practices and the use of force policy in the police department.
 1. Chief Watson explained that we have always gone above the mandatory requirements for background checks and that we have a use of force policy that has been reviewed thoroughly and approved.

E. Dan Buch (7113 Schoyer)

- i. Asks that council use their microphones so people in the audience can hear.
6. Approval of Minutes – Motion to approve the minutes from the Agenda meeting on May 29, 2019 and the Regular Meeting on June 5, 2019. Motion by P. Gionta, second by D. Petrarca. All ayes, D. Rapp – abstain, motion carries.
7. Agenda Items –
- A. Motion to approve **Resolution 19-11** for vehicle acquisition lease/purchase agreement. Motion by D. Petrarca, second by T. Ward. All ayes, motion carries.
 - B. Motion to approve **Resolution 19-12** for renewal of Parkway Grass Cutting Agreement with PENDOT. Motion by D. Petrarca, second by J. Grose. All ayes, motion carries.
 - C. Motion to advertise proposed Ordinance restating the police pension plan. Motion by P. Gionta, second by T. Ward. All ayes, motion carries.

- D. Motion to advertise proposed Ordinance to establish a \$35.00 late fee for Borough Parking Tags. Motion by D. Petrarca, second by J. Grose. All ayes, motion carries.
- E. Motion to ratify the hiring of Russell Diggs and Travis Anderson as employees of the Department of Public Works. Motion by D. Petrarca, second by T. Ward. All ayes, motion carries.
- F. Motion to ratify the hiring of Dean Helinski, Stephen Goth, Christopher Ellis and Seth Taylor as Part-Time Police Officers. Motion by P. Gionta, second by J. Grose. All ayes, A. Salisbury – abstain, motion carries.
- G. Motion to approve request of the Civil Service Commission to perform a non-competitive civil service examination for the Chief of Police. Motion by P. Gionta, second by T. Ward. All ayes, motion carries.
- H. Motion to approve the site plan/land development application submitted by the Redevelopment Authority of Allegheny County for the Carrie Furnace Property. Motion by T. Ward, second by J. Grose. All ayes, motion carries.
- I. Motion to award the 2019 paving bid to A. Liberoni, Inc., who was the sole bidder in the amount of \$143,371.50. Motion by D. Petrarca, second by T. Ward. All ayes, motion carries.
- J. Motion to approve the Workers Compensation Policy for Borough employees from August 1, 2019 thru July 31, 2020 with Brickstreet Mutual Insurance Company in the amount of \$185,444. Motion by P. Gionta, second by T. Ward. All ayes, motion carries.
- K. Motion to approve the Workers Compensation Policy for Volunteer Firefighters from August 1, 2019 thru July 31, 2020 with the State Worker's Compensation Fund (SWIF) in the amount of \$ 21,934. Motion by D. Petrarca, second by T. Ward. All ayes, motion carries.
- L. Motion to authorize the Solicitor to initiate the necessary actions to accept Woodstock Terrace as a Borough Street. Motion by D. Rapp, second by P. Gionta, all ayes, motion carries.
- M. Discussion on whether or not to approve the purchase of property located at 1919-1927 McCague Street for use as a Public Works Garage.
 - i. Mr. McTiernan summarized the details of the agreement. The purchase price is \$370,000. The current owner is required to give the borough good title unencumbered by any other claims, taxes, etc. It is a standard agreement.
 - ii. Mr. Rapp wants to know the conditions of the lease for the current occupants. Mr. McTiernan explains that the current owner is required, through the sales agreement, to give the borough a clear title. The current occupants have a month-to-month lease that can be terminated by the current owner at any time.

- iii. Ms. Salisbury wants to know if council plans to vote on this tonight. Council President Stanton says that she was under the impression that it would be up for a vote after discussion.
- iv. Ms. Salisbury wants to know about the storage space for garbage trucks. Mr. Wilhelm explained that all the space would be used to store public works equipment including the garbage trucks, recycling truck, the backhoe, dump trucks, pickup trucks, the tractor and boom mower, the snow plows and salt spreaders, the street sweeper, etc. The borough will need to use all of the available space at this location.
- v. This sales agreement does not include the property located on Irvine Street. It is completely separate.
- vi. Mr. Rapp asked what changes will need to be completed at this property. Mr. Wilhelm explained that the building will need new garage doors installed, a new roof, and some other interior renovation for showers, breakroom and offices. We will be able to store some equipment there while these renovations are taking place.
- vii. Mr. Rapp had questions about the section of the agreement that discusses toxic substances. Mr. McTiernan explains that this section allows for the completion of a Phase I Study to make sure that there are no toxic substances. If any toxic substances are found the borough can withdraw from the agreement. KU Resources will conduct the Phase I Study.
- viii. Audience member, William Price had questions about the appraisal. He wanted to know what comparables were used when assessing the value of the McCague Street property. Ms. Salisbury read the list of comparable properties to the audience. Mr. Price questioned the use of properties outside of Swissvale. Mr. Petrarca reminded Mr. Price that there are very few properties similar to the one in question in the borough.
- ix. Another member of the audience, Weldiane Scales, wanted to discuss the sales agreement. Ms. Scales asked if the borough has a certified title opinion. Mr. McTiernan explained that the borough will receive this during the closing process. Mrs. Scales is concerned that the 90 day due diligence period will not be enough time to get the certified title opinion. Mr. McTiernan said that it is sufficient time to complete all necessary tasks.
- x. Ms. Scales wants to know how the borough will protect itself in the event that the current tenants have not vacated the property after the sales agreement is signed and the due diligence period has ended.

Mr. McTiernan explained that the sales agreement requires the current owner to give the borough a clear title. Meaning that the borough will not take on the property while it is still occupied. The current owner will have to notify the tenants and the current owner will be responsible for making sure they have moved out.

- xi. Mr. Rapp asked if there is any point after council votes to approve the sales agreement for a chance to withdraw from the agreement. Mr. McTiernan explains that unless there are issues with the Phase I study or some other major issue related to the material condition the sales agreement is final once voted on and signed.
 - xii. Ms. Salisbury asked how the work needed for the building will be done. Mr. Wilhelm explained that the borough engineer will compile a bid package and it will be put out to public bid and completed all at once.
 - xiii. Mr. Rapp questioned the qualifications of the architect and the engineer used to draw up the plans for the building. Mr. Wilhelm explained that council can choose anyone they want to work with and they aren't required to work with the licensed architect or licensed borough engineer that drew the initial plans.
 - xiv. Motion to approve the purchase of property located at 1919-1927 McCague Street in the amount of \$370,000 for use as a Public Works Garage. Motion by D. Petrarca, second by P. Gionta.
 - xv. Motion to table the motion by D. Rapp, second by A. Salisbury. Roll Call: P. Gionta – no, D. Petrarca – no, J. Grose – no, D. Rapp –yes, T. Ward – no, A. Salisbury – yes, M. Stanton – no. Motion fails.
 - xvi. Roll call on the former motion to approve the purchase: P. Gionta – yes, D. Petrarca – yes, J. Grose – yes, D. Rapp – no, T. Ward – yes, A. Salisbury – no, M. Stanton – yes. Motion carries.
8. Finance Report – Councilman Tim Ward
- Paid bills as of June 30th, 2019 in the amount of \$ 884,936.56
 - Unpaid bills as of June 30th, 2019 in the amount of \$ 410,327.52
 - Motion by T. Ward, second by P. Gionta. All ayes, motion carries.
9. Police Report
- A. The Police report is on file
 - B. There is an article in the July/August newsletter about fireworks. While they are currently legal in Pennsylvania there are more specific rules for residents to follow in Swissvale. Fireworks cannot be discharged within 150 feet of an occupied structure. This means that there is nowhere in the borough to discharge fireworks.
10. Code and Fire Report
- A. The Code and Fire Report is on file

- B. June was a busy month, the fire department responded to 5 calls for working structure fires. Thankfully none of these calls were in Swissvale and all of our firefighters returned safely and uninjured.
 - C. The Citizens Fire Academy may need to be canceled due to a lack of applicants. If people are still interested they can submit their applications to the Fire department.
 - D. Assistant Chief Volpe, Chief Wilhelm, Deputy Chief Miller, and Shift Commanders Amos and Rudd attended training for rail car incident response for crude, ethanol, and other flammable materials on June 21st. The training was hosted by the Allegheny County Department of Emergency Services and was conducted by the University of Findlay.
 - E. Code Enforcement issued 56 property maintenance violations this month. This number is lower than average because the fire marshal who is dedicated to this task has been splitting his time between code violations and street sweeping tickets.
 - F. The Fire Department is advertising for the open fire marshal position.
 - G. The next CPR Class will take place on Saturday August 3rd at 9 AM. It is free for residents.
 - H. The doors to the bathrooms at Memorial Field have been repeatedly left unlocked and there were two incidents, one on Friday and one on Monday evening, in which individuals set fire to items in the bathrooms. It is currently being investigated by police and the Allegheny County Fire Marshal's Office.
11. Public Works Report
- A. The Public Works Report is on file
 - B. The South Braddock Avenue Bicycle and Pedestrian Safety improvement project is on time and on budget. All of the storm inlets have been installed and repaired. 45 handicap ramps have been installed. The contractor expects to have the entire project completed by October.
 - C. Paving Update
 - i. Borough council has already voted to approve the paving bid for 2019 but they have also discussed adding the additional paving of Woodstock terrace to that bid.
 - ii. Motion by Councilman D. Petrarca n to enter into a change order with the contractor A. Liberoni, Inc. for the paving of Woodstock Terrace from Woodstock Avenue to the portion of the road paved by the water authority. The estimated cost of the change order is \$7,500. Second by P. Gionta. All ayes, motion carries.
12. Outstanding Complaints – none
13. C.O.G Report – Tim Ward
- A. No report as the COG is on hiatus until September.

14. President's Remarks

- A. none

15. Mayor's Report

- A. The mayor would like to thank everyone who helped plan and attended the annual Swissvale Community Days this year. Mayor Swartzwelder would especially like to thank employees from the Department of Public Works, the Fire Department, and the Police Department. The mayor would also like to thank the donors for their financial contributions.

16. Water Authority Report – Tracey Crombie-Collins

- A. Report is on file
- B. WPJWA met in executive session regarding health insurance and a lawsuit
- C. The next board meeting will take place on August 13
- D. The South Braddock Avenue project above the Kenmawr Bridge is starting
- E. The 2018 Consumer Confidence report is available online
- F. From May 20th to June 16th there was a water main break on Washington Street

17. Planning Commission – Greg Bachy

- A. Nothing currently pending

18. Solicitor's Report – Robert McTiernan

- A. Nothing to report

19. Engineer's Report –

- A. The Engineer's Report is on file

20. Borough Manager's Report – Clyde Wilhelm

- A. Both of the proposed ordinances for advertisement have been given to council for their review.
- B. Mr. Zischkau forwarded an itemized memorandum of significant deficiency repairs as part of the POC M47 9 Mile Run Watershed. This is part of the proposed ALCOSAN takeover of the trunk lines and gives the borough an itemized list of the cost of repair prior to the takeover. This memorandum is also in Council's packets for review.
- C. Unfinished Business – None

21. New Business

- A. Councilman Rapp wants to know if purchasing electric cars would benefit the borough.
- B. Councilwoman Grose would like to purchase a tablet to record the live feed of the council meetings.
- C. Overgrowth from the site of the former GAR home is causing problems for residents on Woodstock Terrace. Mr. Bachy has said that he will address this issue.

22. Commemoration by President Stanton for Swissvale Resident Joseph McAndrew.
23. Motion to Adjourn – Motion by P. Gionta, second by J. Grose. All ayes, motion carried.
24. Meeting Adjourned at 8:47 PM.