



**BOROUGH OF SWISSVALE  
REGULAR MEETING MINUTES**

**September 4, 2019**

1. Meeting called to order at 7PM.
2. Invocation – Pastor Justin Eiding
3. Pledge of Allegiance – Councilman Tim Ward
4. Roll Call – D. Rapp-Here; T. Ward- Here; A. Salisbury- Here; Mayor D. Swartzwelder- Here; D. Petrarca- Here; J. Grose- Here; President M. Stanton- Here
5. Public Comment
  - A. John R. Burns (2308 Milligan Ave)
    - i. Mr. Burns wanted to express his concern on record about the pit bulls living next to him at 2306 Milligan Ave.
      - a. The dogs have attacked neighbors and the mail lady.
      - b. Mr. Burns has called the police 4 or 5 times to address this issue.
      - c. Mr. Burns expressed concern about the safety of the children who walk up and down the street now that school is in session.
      - d. The gate to the property where the dogs reside is broken, thus allowing the dogs to escape.
      - e. Mr. Burns has offered to fix the broken gate to no avail.
    - ii. Mayor Swartzwelder advised Mr. Burns that the police are well aware of the situation.
      - a. She has spoken to Chief Watson about it.
      - b. Mayor Swartzwelder also assured Mr. Burns that it will take time to resolve this issue but they are working on it.
  - B. Rachel Thompson ( 7113 Schoyer Ave)
    - i. On behalf of Swissvale Community Action Committee Ms. Thompson extended an invitation to the first ever Swissvale Food Truck Roundup.
      - a. Ms. Thompson wanted to clarify confusion from last meeting that the event is free and open to the public.

- b. Attendees must pay for food.
  - c. There will be fun events like face painting.
  - d. The Food Truck Roundup will take place on Saturday September 14, 2019 from 4 to 8pm at the Swissvale Community Garden on Collingwood Ave across from Collingwood Park.
- ii. Ms. Thompson spoke in support of appointing Weldiane Scales to the vacant Borough Council seat.
  - a. Mrs. Scales has run an extremely effective campaign.
  - b. Mrs. Scales gained the largest number of votes during the primary and will presumptively be appointed in the fall.
  - c. Mrs. Scales is organized, capable and invested in the Swissvale community.
- iii. Ms. Thompson commented on the construction taking place in the Borough right now.
  - a. Streets are closing down before 6 when they weren't supposed to close until after 6.
  - b. Reflective barriers are not being used at night, which is a safety hazard.
  - c. Ms. Thompson requested that roads be closed no earlier than 6 due to rush hour traffic being disruptive to residents who live on the hill.

C. Andrea Dixon (Woodstock Place)

- i. Ms. Dixon appeared with a neighbor to express discontentment about the late night noise from the Kenmawr Bridge Project.
  - a. Late night drilling prevents nearby residents from sleeping.
  - b. Ms. Dixon would like the work to be done during the day so that she and her neighbors can sleep.
  - c. C. Wilhelm explained that the work cannot be done during the day due to an excess of 22,000 cars that utilize the roadway.
  - d. D. Rapp inquired if it is possible for us to impose reasonable requirements for notification of nearby residents for a project such as this.
  - e. President Stanton replied that the Water Authority was supposed to notify residents that they would be working overnight.
  - f. President Stanton apologized for the residents not being notified.

- g. C. Wilhelm stated that there is nothing in the noise ordinance restricting public road work or utility work overnight.
  - h. D. Rapp recommended doing oversight of contractors and utilities to hold them accountable for notifying residents.
6. Approval of Minutes – Motion to approve the minutes from the Agenda meeting on June 26, 2019, the Regular meeting on July 3, 2019 and the Agenda meeting on July 31, 2019.  
Motion by T. Ward, second by D. Petrarca. All ayes. Motion carries.
7. Agenda Items –
- A. Motion to accept the resignation of Council Person Patricia Gionta and declare her seat on Council vacant.  
Motion by D. Petrarca, second by J. Grose. All ayes. Motion carries.
    - i. D. Petrarca made a statement to clarify the remarks made by Ms. Salisbury at the last meeting.
      - a. Ms. Gionta was elected to council 4 times, serving a total of 15 years and 8 months.
      - b. She sold her home July 19, 2019 but didn't close on her new home in White Oak until August 5, 2019.
      - c. Because her new home was not in move in condition, she stayed with friends at 7132 Orchard Way in Swissvale from July 19 to August 22.
      - d. She served on the Police Committee for her entire elected term and was the Police Chair for 13 years and 8 months.
      - e. She served under 3 Borough managers, 4 police chiefs, 2 mayors, 2 fire chiefs and 2 public works directors.
      - f. She served 10 years on the fire committee.
      - g. She oversaw the Summer Recreation Program for 2 years.
      - h. She started the Swissvale Newsletter and donated numerous photos taken by her husband.
        - i. She was a signatory for Borough checks for 12 years.
        - j. She never missed a cleanup day during her tenure.
      - k. She was instrumental in getting dilapidated properties torn down.
        - l. She was always here for whatever the Borough needed.
      - m. She decided to sell her home because her husband was having trouble making the stairs and there are not many ranch homes here in Swissvale.
      - n. She has been a tremendous asset to the Borough and will be missed.

- B. Motion to approve **RESOLUTION # 19-14** to approve the Utility Agreement Package between Swissvale Borough and PennDOT relating to the Kenmawr Bridge project and designate Greg Bachy as the signatory on all associated documents.

Motion by D. Petrarca, second by D. Rapp. All ayes. Motion Carries

- i. Because the information was just received yesterday, G. Bachy requested to make this agreement contingent upon the solicitor's approval, to which President Stanton agreed.

- C. Motion to accept the SHACOG Salt Bid for the 2019-2020 winter season at the rate of \$82.24/ton through Cargill, Inc.

Motion by D. Petrarca, second by T. Ward. All ayes. Motion Carries

- D. Motion to approve **ORDINANCE #19-03** amending Chapter 15 of the Swissvale Borough Code, entitled "Motor Vehicles and Traffic" to impose a late fee as a penalty for failure to pay or respond to a notice of parking violation within twenty days, and to eliminate the requirement that a citation be issued within 15 days of the violation.

Motion by D. Petrarca, second by T. Ward. All ayes. Motion Carries.

- E. Motion to approve **ORDINANCE #19-04** relative to the establishment and maintenance of Borough Employees Pension, Annuity, Insurance and Benefit Fund or Funds, to amend certain provisions of the pension plan or program applicable to the Police and to restate in its entirety such pension plan or program.

Motion by D. Petrarca, second by T. Ward. All ayes. Motion carries.

- F. Motion to reject all bids received for the Agnes Street, Burton Street and Denniston Street Sanitary Sewer Replacement Project.

Motion by D. Petrarca, second by J. Grose.

- i. A question arose concerning when they will rebid and if the bid documents will be changed.
  - a. G. Bachy replied that we will discuss it with the engineer and review the documents in detail before we rebid to see if there is any gray area that needs to be clarified.
- ii. C. Wilhelm stated that he and Mr. Bachy identified another possible way for this project to be done.
  - a. We may bid it as an option A and an option B.
  - b. There's some new technology out there that may or may not work called pipe bursting that we would like to explore.

- G. Motion to ratify the hiring of Vernon Washington as a temporary employee in the Department of Public Works at the contractual rate of \$17.01/hr.

Motion by D. Petrarca, second by T. Ward. All ayes. Motion carries.

- H. Motion to ratify the hiring of Nicholas Hudek as a First Class Operator in the Department of Public Works at the contractual rate of \$17.38/hr.

Motion by D. Petrarca, second by T. Ward. All ayes. Motion carries.

- I. Motion to approve an amendment to the reimbursement agreement between Swissvale Borough and PennDOT for the South Braddock Avenue Pedestrian and Bicycle Safety Improvement project to reflect the revised grant amount of \$1,739,243.42 and authorizing Greg Bachy as the signator on all related documents.

Motion by T. Ward, second by D. Petrarca. All ayes. Motion carries.

- i. D. Rapp asked for clarification on the difference between items I and J.
    - a. G. Bachy clarified that item I relates to Penn Dot's requirement of having a letter authorizing acceptance of the funds.
    - b. J is the resolution to accept the TAP Grant funding.
    - c. Penn Dot requires these two separate actions.
- J. Motion to approve **RESOLUTION # 19-15** accepting TAP Grant Funding in the amount of \$1,739,243.42 and authorizing Greg Bachy as the signator on all TAP related documents.

Motion by T. Ward, second by D. Petrarca. All ayes. Motion carries.

- K. Motion to approve a Block Party and Street Closure request submitted by the Swissvale Community Action Committee to hold a Food Truck Roundup and Funfest on Collingwood Avenue on September 14, 2019 between the hours of 3:00 p.m. and 8:00 p.m.

Motion by T. Ward, second by D. Rapp. All ayes. Motion carries.

8. Finance Report – Councilman Tim Ward
  - Paid bills for July and August 2019 in the amount of \$1,507,907.51
  - Unpaid bills for July and August 2019 in the amount of \$233,964.71

Motion by T. Ward, second by J. Grose. All ayes. Motion carries.

9. Police Report- Chief Watson
  - A. We held our first ever Citizens Police Academy over a period of about 2 months.
    - i. 6 residents took part.
    - ii. Items covered included a history of Swissvale Police Department, police procedure, demonstration of the equipment we have, and a tour of the dispatch center.
    - iii. We had Judge Cauffield come in and talk about how the court system works in Allegheny County.
    - iv. We took them to Monroeville and had a demonstration of use of force.
    - v. Chief Watson then presented the participants with certificates of completion and took a group photo with them.
  - B. September 16, 2019 at 7pm we have scheduled a crime watch meeting.

- i. We are looking to restart crime watch in the neighborhoods to get people involved in being the eyes and ears for the police department.
  - ii. C. Wilhelm requested for the meeting to be posted to Savvy Citizen and Facebook.
- 10. Code and Fire Report- M. Volpe  
Code and Fire Report is on file in the Borough manager's office for review
- 11. Public Works Report- D. Petrarca
  - A. Public works report is on file in the Borough manager's office for public inspection.
  - B. S. Braddock Ave Pedestrian & Bicycle Safety Improvement Project is moving forward daily with great progress.
    - i. All storm inlets have been installed or repaired and all the handicap ramps have been installed.
    - ii. The building and paving of crosswalks is occurring as we speak.
    - iii. The installation of decorative crosswalks will begin in the next several weeks.
    - iv. All that remains is installation of new signage and pedestrian signals and the project will be complete.
  - C. Street sweeper was out for maintenance.
    - i. It will be back in service by Friday September 6, 2019.
    - ii. Street sweeping will continue daily until October 31, 2019.
    - iii. Leaf collection begins November 1, 2019.
    - iv. We ask that residents please not put large piles of leaves into the street until November 1 because the street sweeper can't pick them up.
  - D. We have a new garbage truck.
    - i. It will be in service in the next 2 or 3 weeks after the necessary permits are received from the DEP and Penn Dot.
    - ii. This will make our trash collection operations much more efficient.
- 12. Outstanding Complaints – none
- 13. C.O.G Report – Tim Ward  
No report
- 14. President's Remarks- M. Stanton  
No report
- 15. Mayor's Report- D. Swartzwelder  
No report
- 16. Water Authority Report – Tracey Crombie-Collins
  - A. Ms. Crombie-Collins offered apologies to the residents who have been impacted by the noise from the Kenmawr Bridge project.

- i. It was a subcontracted job through Lawson Excavating that needed to be finished by August 31, 2019.
    - ii. The job was finished last Thursday with the exception of the milling and paving which will be done during the day.
  - B. In regular business of the water authority, the annual financial statement audit was presented at our last meeting in August.
    - i. There were no significant deficiencies or material weaknesses
  - C. The water loss report is due to the board at the next meeting.
    - i. The officers at the water authority are reviewing it now.
  - D. The water authority is still negotiating with a labor contract that expired in December.
  - E. From May until August 2, 2019 there were 4 water main breaks, yesterday there were 3 breaks.
    - i. Washington St main had 4 breaks so it is in the process of being repaired over the next 3 weeks.
  - F. The next meeting is September 24, 2019.
- 17. Planning Commission – Greg Bachy  
No report
- 18. Solicitor’s Report – Robert McTiernan
  - A. The coordinates for making Woodstock Terrace a public street have been prepared.
    - i. We need to update the map and the names and addresses of the people who live in the adjoining properties.
    - ii. The advertising needs to be done in 2 consecutive ads.
    - iii. If anyone wants to object, they can file a petition with 30 days.
    - iv. If there is no objection, there has to be a hearing within 60 days.
    - v. D. Rapp suggested putting the information on the Borough website so residents can object if they like.
    - vi. C. Wilhelm recommended advertising it for potential adoption at the October meeting.
      - a. If we receive a request for a hearing from someone within a 10 day period, then we won’t act on it.
      - b. If there is no objection we can adopt it in October.
      - c. If there is an objection, it would move to November or December.
    - vii. Motion to advertise this ordinance by D. Petrarca, second by J. Grose
- 19. Engineer’s Report – Robert Zischkau
  - A. Mr. Zischkau briefed council on the proposed consent order.

- i. There are still technical issues that need to be worked out.
- ii. There will be another meeting with our group of engineers, solicitors and managers from various municipalities, then the DEP and the County Health Department.

20. Borough Manager's Report – Clyde Wilhelm

- A. Mr. Wilhelm briefed council on correspondence he received from the Tri-COG Land Bank.
  - i. The Tri-COG Land Bank intends to acquire properties from the National Community Stabilization Trust, which is a non-profit that works to restore abandoned properties to productive use and protect neighborhoods from blight.
  - ii. They are asking the Borough to pass a motion that we've acknowledged receipt of their intent to acquire properties through the National Community Stabilization Trust REO Acquisition Program, and that we do not object to such acquisitions.
  - iii. Letter of acknowledgement would have to be forwarded to them by October 8, 2019.
  - iv. Objection deadline is also October 8, 2019.
  - v. Motion by D. Petrarca, second by J. Grose. All ayes. Motion Carries
- B. Civil Service Commission administered a written exam for police officer positions on August 27, 2019.
  - i. The Civil Service Commission has advertised 3 meetings in October, November and December to pursue the process.
- C. We've been trying to grow engagement with Savvy Citizen.
  - i. We've been using it to send out messages to the community.
  - ii. Savvy Citizen was supposed to do a social media marketing campaign.
  - iii. There will be a half page ad in the newsletter about it.
- D. Mr. Wilhelm will need to meet with members of council in executive session for matters of personnel, contract negotiations and litigation updates.
- E. A. Salisbury inquired if a business that was acquired on Noble St. ever came to fruition.
  - i. The property was purchased by a couple intending to turn it into a dentist's office.
  - ii. Mr. Wilhelm stated that he wants to work with Mr. McTiernan to draft a letter to the owners that they are not honoring their end of the deal.
  - iii. If they do not comply, the property will be demolished.

- F. A. Salisbury has had a number of people message her about the proliferation of rats in the section of Swissvale adjoining Edgewood.
  - i. Regulations state we can't set out bait.
  - ii. County Health Department is supposed to address the issue, but not much is being done.
  - iii. President Stanton commented that everyone if everyone got garbage cans with lids, half of the problem would be eliminated.
  - iv. C. Wilhelm stated that there is a long standing Borough ordinance which requires residents to place trash in cans.
  - v. C. Wilhelm stated that complaints from neighbors or Public Works employees concerning loose trash are addressed as they arise.
  - vi. D. Rapp suggested penning a letter from Council to the County Health Department to address the issue.
  - vii. D. Rapp also suggested educating residents about the rat issue before penalizing them.
- G. A. Salisbury asked for an update on the contract for the new building acquisition.
  - i. R. McTiernan stated that we are still waiting on the title search.
  - ii. The survey has been ordered.

#### 21. New Business

- A. D. Rapp commented on several issues that need to be updated on our website.
  - i. The Borough committee lists need to be updated with vacancies now that we have accepted Ms. Gionta's resignation.
  - ii. There are terms on our Boards and Commissions that are coming due.
    - a. It's time to notify residents that they can begin applying.
    - b. We should put together information about what each of the different Commissions does and a timeline for people to apply.
  - iii. The front page of our website contains outdated information with no dates listed, causing confusion as to whether the information is recent or old.

#### 22. Motion to Adjourn – D. Petrarca

Second by J. Grose.

#### 23. Meeting Adjourned at 8:08pm