

**MINUTES
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

REGULAR MEETING

March 14, 2018

7:00 P.M.

I. CALL TO ORDER: President Macino called the meeting of the Board of Commissioners to order at 7:00 P.M.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

BOARD

Wilson Durisko – Present
Wayne Chiurazzi, Esq. - Absent
Dawn Williams-Zabicki- Present
Rick Ruffennach –Present
George Macino – Present

STAFF

Chuck Means, Solicitor - Present
Kevin Brett, Engineer - Present
Craig Campbell, Chief of Police - Present
Robert Caun, Planning Director - Present
Bob Palmosina, Public Works Director - Present
Brian Ralston – Bldg./Codes Officer - Present
Rochelle Barry, Parks Director – Present
Jeff Hinds, Finance Director - Present
Kyle Thauvette, Township Manager – Present
Valerie Salla, Township Secretary – Present

C. EXECUTIVE SESSION – Was held prior to the meeting to discuss personnel issues.

D. Swearing in of Officer Neal by District magistrate Maureen McGraw Desmet.

Chief Campbell introduced Officer Abigail Neal to the Board. She was the number one candidate on the Civil Service List and is the first female officer hired in Collier Township.

Officer Neal was sworn in and her brother pinned her badge on.

II. APPROVAL OF MINUTES:

- A. February 14, 2018 – Board of Commissioners Regular Meeting
- B. February 28, 2018 – Board of Commissioners Workshop Meeting

Commissioner Williams-Zabicki advised Ms. Salla that a correction is needed on the February 28, 2018 Workshop minutes. The correction is on page 45 to change to word from litigation to mitigation.

Ms. Salla will make the correction.

Motion was made by Commissioner Durisko, second by Commissioner Ruffennach to approve all the minutes as submitted above. By unanimous vote the motion carried.

III. REPORTS OF OFFICIALS AND COMMITTEES:

- A. Solicitor:** The Solicitor submitted a written report to the Board for the month of February and would be happy to answer any questions the Board might have.

There were no questions or comments.

- B. Engineer:** The Engineer submitted a written report to the Board for the month of February and would be happy to answer any questions the Board may have.

There were no questions or comments.

- C. Manager:** The Manager submitted a written report to the Board for the month of February and would be happy to answer any questions the Board may have.

Mr. Thauvette added the following:

1. Keep Collier Beautiful is on April 21st and volunteers are needed.
2. Carol Drive. Only one (1) bid was received for the Carol Drive Storm sewer replacement project.

Commissioner Durisko questioned if we can re-bid the project?

Mr. Thauvette stated if we re-bid, we run the risk of not getting any bids and it does cost us every time it is put in the paper.

Commissioner Williams-Zabicki stated she and Commissioner Chiurazzi attended the school event to welcome the new superintendent and we, the Commissioners, would like to welcome the new superintendent as well.

Commissioner Macino stated we should invite the new superintendent to one of our public meetings to introduce herself and what her plans are.

Mr. Thauvette stated she starts in April and will send her an invite then.

There were no other questions or comments.

- D. Codes/Zoning:** Mr. Ralston submitted a written report to the Board of Commissioners for the month of February and would be happy to answer any questions the Board may have.

Commissioner Durisko questioned if we look at other surrounding communities to compare codes.

Mr. Ralston stated yes. There are municipalities that do things differently and we are always looking to update. The State of Pennsylvania is going to adopt the 2015 Codes across the Board starting in October which will have to be in play by January 1, 2019.

There were no questions or comments.

E. COG: Commissioner Ruffennach stated the COG meeting in January was held at Rosslyn Farms and the next meeting is on March 15, 2018 at Carnegie Borough. Commissioner Durisko will be attending.

F. Finance: Mr. Hinds submitted a written report to the Board for the month of February and would be happy to answer any questions the Board may have.

Mr. Hinds added the external audit started last week and is still continuing.

There were no questions or comments.

G. Parks and Recreation Report: Ms. Barry submitted a written report to the Board for the month of February and would be happy to answer any questions the Board may have.

Ms. Barry added the following:

1. Zumba classes will start in the evenings on April 2nd. There were a lot of requests for that.
2. NCAA Basketball Brackets are due tomorrow by noon. They are free for anyone in the community and the winner gets to throw out the first pitch at the Wild Things game.

Commissioner Macino questioned how we get the brackets.

Ms. Barry stated they can be printed out on line and can be picked up at the community center. They can be dropped off or emailed to her or Rob.

Commissioner Durisko questioned if the Community Center hours will be changing?

Ms. Barry stated no. We tried changing the hours about two (2) years ago and it didn't seem to make a difference so we kept them the same. We open at 6:00 a.m.

Commissioner Williams-Zabicki questioned what the membership projections are since the report has a total of 823.

Ms. Barry stated the membership this time of year is usually in the 900 so it is a little low.

There were no other questions or comments.

H. Planning/Development Report: Mr. Caun submitted a written report to the Board for the month of February and would be happy to answer any questions the Board may have.

Mr. Caun added the following:

1. The Planning Commission meets on March 15th and will be reviewing Settler's Ridge by Stambrosky Development. This is Phase 2 final review.
2. The Planning Commission is still working on the Comprehensive Plan.
3. The Zoning Hearing Board met on February 20th for a side yard variance for Maronda Homes and the variance was approved.
4. The Zoning Hearing Board will be meeting Tuesday, March 20th for a use on Washington Pike across from Peter's Place. This is a home occupation for a Tarot card reader.
5. Monday the asbestos testing will begin on buildings at Collier Park that we are hoping to demolish.
6. General Code is our updated codification that is online and we have the ability to review all the Ordinances at other municipalities have by searching for a certain item(s). We also meet local codes and planning officials about one every other month to get ideas off of each other and see what their municipalities are doing.

Commissioner Durisko questioned if we can pick and choose what we want out of the PA State codes.

Mr. Caun stated no. These codes are set by the State and are mandated.

There were no questions or comments.

IV. Public Safety – Fire Department Report: A written report was submitted for the month of February and Chief Dave Brown of Rennerdale VFD was in attendance to answer any questions the Board may have.

Chief Brown informed the Board of the following:

1. Fish Fries are going good.
2. They collected \$750 in donations for the Carnegie Fire victims at their last fish fry.

Commissioner Williams-Zabicki stated the fire department was pretty involved with the Carnegie Fire.

Chief Brown stated yes, they assisted with the fire and some of the guys assisted with the rescue and pulled out a body.

Commissioner Williams-Zabicki thanked them for their work.

There were no other questions or comments.

- V. Public Safety – Police Department Report:** Chief Campbell submitted a written report to the Board for the month of February and would be happy to answer any questions the Board may have.

Chief Campbell added the following:

1. The update on the promotion process. A sergeants written exam is scheduled for Monday, March 19th. The oral exams are tentatively scheduled for Tuesday, April 3rd. This is a much faster process and we do background checks that are not as intense as a new hire. There will need to be a Civil Service meeting to certify the list and by April, you will have a list of names to choose from and he would pick anyone of them.

Commissioner Macino questioned if this is to fill the spot from Sgt. Davis.

Chief Campbell stated yes.

Commissioner Durisko questioned if in any discussions with the School District if adding another School Resource Officer was brought up.

Chief Campbell stated it was brought up however, we have increased police presence at the School and the Officers are walking through the schools on a daily basis. There are mandatory check points throughout the school. The campus is too large for one (1) Officer and a much better job could be done if another Officer was added then there would be one at the middle school and one at the high school. This was brought up at a school board meeting by the parents and this is a school board decision to make. Chief Campbell is for adding another Officer and will talk with the new superintendent regarding this.

Commissioner Macino questioned how secure Chartiers Valley Schools are relative to other schools.

Chief Campbell stated they are pretty secure. There were some issues during construction and have been resolved. Every day, an Officer goes up to the school and goes around with Officer Oslick and checks every door and learns the layout of the schools. Chief Campbell is confident the schools are safe and as secure as we can make it given the construction.

Commissioner Durisko stated that is a great idea and questioned if the Chief has brought in other Officers like Scott Township to do this.

Chief Campbell stated that is in his plan but he wants Collier Officers and himself to know all the ways around and not just one way. There are other plans to be done as well.

Commissioner Ruffennach questioned what the radio perception is like in the schools.

Chief Campbell stated it is better. The new school has a lot more glass than metal which creates its own problem but it is better than being surrounded by concrete. The new radios has the system the school uses. They all have the school channels on them.

There were no other questions or comments.

VI. Public Works Report: Mr. Pamosina submitted a written report to the Board for the month of February and would be happy to answer any questions the Board may have.

Commissioner Macino questioned what is done for litter control.

Mr. Pamosina stated the guys go out and clean the streets. The problem is with the County and State roads that do not react as fast as we do. We do go and do some of them and we also notify the State and County. When the weather breaks like this, you can really can see more litter know that the snow is gone.

Commissioner Macino stated that the corner of Washington Pike and Thoms Run Road looks like someone just dumped a bunch of trash. Do we pick that up?

Mr. Pamosina stated yes we pick that up and we also get all the signage there. We give the sign owners 30 days to pick up and if they don't, we throw them away.

Commissioner Macino stated the signs have become a nuisance.

Mr. Pamosina stated the only signs we leave up are political signs and signs related to the schools.

Mr. Pamosina informed the Board that Allegheny County is looking for about 18 million dollars in relief funds and he has submitted a report for the slides on the trail and hopefully we will get some reimbursement money.

Commissioner Durisko questioned if the slide on Walkers Mill Road is a danger.

Mr. Pamosina stated it is not. That is a State Road and we didn't move it because if we do, it might cause more problems.

There were no other questions for comments.

Motion was made by Commissioner Durisko, seconded by Commissioner Ruffennach to approve all the above reports as submitted. By unanimous vote the motion carried.

VII. PUBLIC COMMENT / COMMENT ON NEW BUSINESS:

Mr. Terry Bell of 793 Marigold Court (Neville Park) approached the Board stating two (2) weeks ago he came stating how improper stormwater management is the likely

contributor to the hillside sliding on Marigold Court and suggested the Board take two actions that would help resolve this issue as follows. 1. Shelve any further consideration of developing the property above Marigold Court. 2. Evoke the provisions of section 23-172 of the Stormwater Management Code.

Mr. Bell would like to know what the Board has done relative to these suggestions and he would clarification to section 1-903 to the Township Ordinances. This is relative to the Townships response to a right to know request. This section states “under the right to know law the Township must send a response within five (5) business days of receipt of a written request for actions or else the written request shall be deemed denied.” Is this to his understanding that the Township simply does nothing in response to a right to know request than the request is automatically denied.

Mr. Means stated the State Law governs how Township’s handle right to know requests providing there is no answer within the time limit that it is deemed denied. This is not something the Township formulated. It is a State Law and it is that way in every Township.

Mr. Bell stated this does not make sense. If the Township just does nothing for someone that wants some information and you wait five (5) days and then that request is automatically denied.

Ms. Salla asked if she could answer that since she was the right to know officer and defend herself.

Mr. Means stated this is the State Law and there is a lot of State Laws that we all would agree do not make sense. This is the law that Ms. Salla has to follow. If someone doesn’t receive their answer in five (5) days, this allows the requester to appeal so they do not have to wait longer. They need to appeal to the open records office to order a response. You appeal to the State Board and ask them to order a response.

Ms. Salla stated she never received any requests for Mr. Bell or whoever he is referring too.

Mr. Bell stated he wasn’t accusing Ms. Salla of anything. He just saw this today and now he has an explanation.

Mr. Bell then asked for a response to his first question.

Commissioner Macino stated the Township has issued two (2) notices to the Developer and we will now be moving on to the next phase of that process which will involve legal action.

Mr. Means stated there were two (2) notices sent.

Commissioner Macino stated for stormwater and grading.

Mr. Bell asked if he could get a copy of the notices.

Mr. Means stated he could get it from the Township Office.

Mr. Bell questioned if this would stop any further development.

Mr. Means stated based on his knowledge there is not any proposal or application pending for development that the Township has to act on. There is nothing in front of use to approve or deny so there is nothing for us to stop.

Mr. Caun stated the only application is for rezoning and with rezoning there is no time frame and they have not been back in the last six (6) months. They have said they are still working on things. We are under no obligation or time frame to act on anything. There is no land development application in front of the Township.

Mr. Bell stated that if something like this happens in the next month, can he count on the Board considering the situation that he and people on Marigold Court are facing because that hillside is rolling. He has had two (2) contractors out and they said a slide will happen. Will he have the Boards support if an application comes, we will hold off on the development until we get this resolved on Marigold Court.

Mr. Means stated if an application comes in like any other application that comes in any other part of the Township, we have professionals to review if the standards are met or not. This Board looks at what is reported to them. There are proper standards to judge it by.

Mr. Bell questioned what standards applied to this developer that the hillside slides.

Mr. Means stated that application came in about 2003 and we did not have the stormwater management ordinance close to where it is now and the grading ordinance has been revised multiple times. There are now tougher standards from DEP and Federal regulations that did not exist back in 2003.

Mr. Bell stated there was a grading ordinance in 2009 that was revised in 2016. The grading ordinance in 2009 would affect what went on, on his lot on Marigold Court. Mr. Bell requested to see Ordinance 643.

Mr. Means told Mr. Bell to go to the Township Office for a copy.

Mr. Bell thanked the Board.

Mr. Nick Jordanoff of 35 Walker Street and owner of Hazelnut catering approached the Board with water runoff issues. He was here two (2) years ago in March to explain the water runoff situation we have. The water runoff has been from the back parking lot of this building which feed into the storm drain on Walkers Mill and then release onto his property. When he built his house he put in an 18 inch catch basin and an 18 inch pipe to a second one to divert the water away from his house. He worked with Sal

Sirabella in the past and basically what we came up with was the Township was going to put a retention pond back off of the catch basin in the parking lot to slow down the water coming down to his property. Since Sal retired, he has spoken to Kyle and Bob Palmosina for ideas and this year they put sandbags out to divert the flow of water into your catch basin so it wasn't all going in at once. That has seemed to help slowing down the process. With the rain we have been having the sand bags are not working and he wants to know what will be done now to get the retention pond done.

Commissioner Macino questioned Mr. Thauvette where we are with this.

Mr. Thauvette stated he spoke to Mr. Brett, the engineer, today and they have put together a project list of things we need to get done for the MS4 to reduce the water flow. We have two large areas for projects and one being an underserved catch basin in our parking lot and the other being in Cabbage Hill off of Dorrington where a lot of water is coming from Prestley Heights.

Mr. Brett stated the Township had to develop a pollution reduction plan and has been under review since October 2017 by DEP. DEP should provide comments to us within the next two (2) weeks for a permit. After that permit is issued we can proceed with whatever is in the plan and we have five (5) years to complete it. We will need to design a plan and this will go into the 2019 budget. The time is getting permits and the Public Works Department should be able to do this. They could work on it during this winter and be done by mid-summer of 2019.

Mr. Jordanoff questioned if there are any other measures we can take in the meantime. The sand bags are not working now.

Mr. Brett stated there is a sock that is built that can slow the water down better than sand bags and will last about a year.

Mr. Jordanoff wants to be involved and informed when digging will start so he is aware of what he needs to do.

Mr. Brett stated he will be notified.

Mr. Jordanoff thanked the Board.

Mrs. Sheryl Green of 1202 Noblestown Road approached the Board regarding the water run-off onto her property. She apologized for accusing the wrong property owner but had no idea it was coming from a different property. She understands the problem will be fixed permanently when the weather gets warmer. She also thanked the Manager, Kyle, Bob P, Public Works Director and everyone else that was involved in making the little ditch there which helped stop the water coming from across the road. She thanked everyone.

The Commissioners thanked Mrs. Green also.

VIII. NEW BUSINESS:

1. Consider action on bond reduction request #2 for Prestley Heights Phase 1 and Phase 3. The Township Engineer has reviewed the request and recommends the Township reduce the Letter of Credit amount from \$466,357.13 to \$451,229.26.

Motion was made by Commissioner Durisko, seconded by Commissioner Williams-Zabicki, to approve the bond reduction request #2 for Prestley Heights Phase 1 and Phase 3 as stated above. By unanimous vote the motion carried.

2. Consider action to award the Carol Drive storm sewer repair replacement Contract number CT-2018-01 to JASE Construction Services, LLC, per the submitted bid proposal specifications.

Motion was made by Commissioner Ruffennach, seconded by Commissioner Macino, to award the Carol Drive storm sewer repair replacement contract to JASE Construction as stated above. By unanimous vote the motion carried.

3. Consider action to authorize Lennon Smith Souleret to proceed with preliminary design of two lighted soccer fields at Collier Community Park.

Commissioner Macino stated this will be discussed at the Workshop meeting in two (2) weeks.

This motion was tabled.

4. Consider action to authorize Lennon Smith Souleret to proceed with the NPDES permit application process for the two soccer fields at Collier Community Park.

Commissioner Macino stated this will be discussed at the Workshop meeting in two (2) weeks.

This motion was tabled.

5. Consider on Resolution 031418-01; A Resolution for the destruction of specific records in the Township Administration Office.

Motion was made by Commissioner Durisko, seconded by Commissioner Ruffennach to approve Resolution 031418-01 as stated above. By unanimous vote the motion passed.

6. Consider action to do the following transfer:

1. Approval of the transfer of \$11,000.00 from the General Fund Checking Account to the Capital Fund Checking Account.

Motion was made by Commissioner Williams-Zabicki, seconded by Commissioner Durisko to authorize the transfer as stated above. By unanimous vote the motion carried.

IX. APPROVAL OF GENERAL FUND OPERATING ACCOUNT ITEMS:

1. Invoices paid and checks written from February 15, 2018 to March 13, 2018 in the amount of \$354,310.55.
2. Bills requested for payment for March 14, 2018 in the amount of \$229,867.01.

Motion was made by Commissioner Durisko, seconded by Commissioner Ruffennach, to approve the report and authorize payments as stated above. By unanimous vote the motion carried.

X. APPROVAL OF CAPITAL INVESTMENT ACCOUNT ITEMS:

1. Invoices paid from February 15, 2018 to March 13, 2018 in the amount of \$2,812.65
2. Bills requested for payment for March 14, 2018 in the amount of \$8,103.90.

Motion was made by Commissioner Durisko, seconded by Commissioner Ruffennach, to approve the report and authorize payments as stated above. By unanimous vote the motion carried.

XI. ADJOURN:

Motion was made by Commissioner Durisko, seconded by Commissioner Ruffennach to adjourn the meeting at 8:55 p.m. By unanimous vote the motion carried.

George E. Macino – President
Board of Commissioners

Valerie A. Salla
Township Secretary