

**MINUTES
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

REGULAR MEETING

May 9, 2018

7:00 P.M.

I. CALL TO ORDER: President Macino called the meeting of the Board of Commissioners to order at 7:06 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
Rochelle Barry, Parks Director – Present
Jeff Hinds, Finance Director - Present
Kyle Thauvette, Township Manager – Present
Valerie Salla, Township Secretary – Absent
Janet Wank, Administrative Assistant – Present

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

D. SWEARING IN of Officer Richard Lamb to the position of Sergeant -- by District Magistrate Maureen McGraw Desmet.

E. 2017 AUDITOR’S REPORT – Kim Turnley of Mark Turnley’s Office gave a report to the Board of Commissioners.

II. APPROVAL OF MINUTES:

A. April 11, 2018 – Board of Commissioners Regular Meeting

B. April 25, 2018 – Board of Commissioners Workshop Meeting

Motion was made by Commissioner Ruffennach, second by Commissioner Durisko 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 April 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 April and would be happy to answer any questions the Board may have.

Mr. Brett added the following:

1. 3 Rivers Wet Weather order expires June 1, 2018 and there will be a gap between orders. During the gap, a tap letter will be needed. There is a moratorium for taps. For building permits throughout the Township, after June 1st until DEP approves the tap, no building permits can be issued. The Township should let active developers know they have to buy all the taps in their approved plan before June 1st.

Commissioner Macino advised Mr. Caun and Mr. Thauvette to get together and notify all the developers.

Mr. Caun questioned if they have to purchase every tap in the same plan.

Mr. Brett stated from every time period that they build from and right now it is definitely until the end of the year or till a new order is done.

Mr. Caun stated the Township will have to work with the Municipal Authority since the tap is coming from the Authority. The Township waits for the tap. The Authority issues the permit.

Mr. Brett stated the Township will have to work with the Authority.

Commissioner Williams-Zabicki questioned if there is a punch list for the hillside.

Mr. Brett stated he has provided a list from the top to the bottom for the public works.

Commissioner Williams-Zabicki asked for a copy of the punch list.

Mr. Brett replied yes.

There were no other questions or comments.

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

Mr. Thauvette added the following:

1. We will host the COG Meeting/Dinner at the Community Center from 6:30pm – 8:30pm next Thursday, May 17th.
2. We received an approved bid list from Lennon, Smith, Souleret yesterday for the demolition for the buildings at the park.
3. The next Manager's monthly coffee hour will be at the Community Center on Monday, May 14th at 9:30 a.m.
4. There is a motion on the agenda for a letter of intent for to the State DCED office for a fire and emergency services study. This is an update from the one that was done previously.

There were no other questions or comments.

D. Codes/Zoning:

Commissioner Macino informed the public that the building/codes Officer, Mr. Ralston has resigned. There is an opening for Officer. In the Absence of Mr. Ralston, Mr. Bob Caun will be handling those requests to keep things moving. There will be no report this evening.

There were no questions or comments.

E. COG: Commissioner Ruffennach has nothing to report at this time.

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

There were no questions or comments.

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

Ms. Barry reminded the public the Washington Wild Things game is on May 17th, 2018.

There were no questions or comments.

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

Mr. Caun added the following:

1. The Planning Commission is working on the Sheetz subdivision and land development application.
2. The Planning Commission is also working on the Verizon Wireless colocation.
3. The Commissioners heard two (2) public hearings tonight on Sheetz and Verizon Wireless.

4. The Zoning Hearing Board will convene on Tuesday, May 15th to give their final vote on the Sheetz variances request.
There were no questions or comments.

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

Chief Brown added the following:

1. It was a very busy month with EMS and fire.
2. They also had tests done on the ladders and hoses.
3. Fire training at the academy is going on this month and all three (3) fire departments have guys at training.
4. Rennerdale VFD purchased two (2) new ambulances and are waiting inspection from the Health Department. We hope to have them on the roads within the next few weeks.

Commissioner Durisko asked for information about the new ambulances.

Chief Brown stated the ambulances are from LA and are actually on the new show 911. The show used them for a week and had to get rid of them because they were the wrong kind and didn't match perfectly. The President, Andy Giroski, knew someone out there and got in contact with them regarding the ambulances. They gave us two (2) ambulances for the price of one at a discounted price. A guy drove them from LA to Collier and they are currently being updated.

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 April and would be happy to answer any questions the Board may have.

Chief Campbell added the following:

1. Collier Township Police Association kick-off party is tonight at the Pittsburgh Bottle Shop for the annual clay shooting. There are a couple auctions and raffles. Anyone can stop done after the meeting.

There were no questions or comments.

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

Commissioner Macino questioned how things are going on Baldwin Road Ext.

Mr. Palmosina stated he is hoping to finish by Friday depending on the weather.

Mr. Palmosina added he put packets in their boxes regarding PEMA. Chief Dave Brown submitted the paperwork. Hopefully we will receive some money to fix the roads.

There were no other questions or 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:

Mike Kaleugher of 8 Arlington Avenue, Carnegie, PA, approached the Board with information on a piece of land, 330-C-3, he and his wife own. This property is currently served by a township road. This road is the only access to the property. He would like this information in the public minutes. He presented the letter below to the Commissioners.

Michael B. Kaleugher

Attorney at Law

8 Arlington Avenue
Carnegie, Pennsylvania 15106-1499

Phone (412) 276-6216 • Fax (412) 276-0567
mkaleu@comcast.net

May 9, 2018

Township of Collier Board of Commissioners
2418 Hilltop Road, Suite 100
Presto, PA 15142

Attention: George Macino, President

Re: Township Ownership, L. R. 2030

Dear Mr. Macino:

This letter will serve to confirm that I appeared at the regular monthly public meeting of the Collier Township Board of Commissioners, held on May 9, 2018, and presented to the Board of Commissioners for entry into the permanent Minute books of the Township of Collier, full and complete records to verify that the Township of Collier accepted a transfer from the Pennsylvania Department of Transportation for ownership of L. R. 2030 as a continuing public highway.

This material was provided to the Township since my wife Nancy and I own a parcel of property that was accessible and serviced by former L. R. 2030, with our parcel of property being identified as Parcel 330-C-3.

Extensive research and response to filed Right-to-Know requests had clearly established that, beginning in 1982, the then Board of Commissioners were aware of the fact that L. R. 2030 was in the process of being turned over to the Township of Collier because of the reconstruction and relocation of Nike Site Road, now identified as S. R. 2030.

I personally reviewed the Minute books of the Township of Collier for 1982, 1983 and 1984 you will find attached to this letter a 3-page summary referencing the various monthly meetings and the pages where the Board discussed and approved the transfer of L. R. 2030 to the Township of Collier as a public road and also accepted various of sections other roads from the Commonwealth as public roads of the Township of Collier.

Also attached is a packet of information with copies of all of the various correspondence between the Pennsylvania Department of Transportation concerning this transfer, with responses from the Township of Collier and, in particular, an Acceptance Agreement dated August 8, 2003

Township of Collier Board of Commissioners
Attn: George Macino, President
May 9, 2018
Page 2

with Form M-4228, executed by Edward J. Drexler, then President of the Board of Commissioners.

Additionally, I have attached a copy of an information sheet with a portion of the Pennsylvania Department of Transportation plans as filed of record with the Recorder of Deeds of Allegheny County (Page 3 of 18) which verify that L. R. 2030 established certain Township roads as state roads and establishing a width of the public road to be at least 33 feet in width.

Present date physical evidence shows, and an inspection of this area will reveal that there is evidence of blacktop paving remaining in the road area, along with the under base of the roadway, and three prior concrete catch basins with drainage pipe crossing under the road right of way.

In addition, you will find attached copies of portions of the Pennsylvania Bulletin, as published, confirming the transfer to the Township of Collier of the described portions of L.R. 2030, along with other roads that the Board of Commissioners accepted. Please note that the date of transfer to the Township was November 14, 1984 with respect to L. R. 2030.

The current Commissioners may want to carefully review this Bulletin and establish within the public records the date of acceptance and ownership of the various other legislative routes that are listed in this Bulletin so that other member of the public will have access to this information.

I have also attached a Property Information Summary Sheet related to access that will provide other historical information related to L. R. 2030, which at one time was apparently identified as Township road 930, and deed information referencing the historical facts related to L. R. 2030.

In my investigation of this matter, the Township could not produce any records related to the transfer and acceptance of ownership of L. R. 2030 and it is noted that the Township never applied for Liquid Fuel reimbursement for the road, which has substantially deteriorated over the years.

The purpose of my presentation and this information is to provide further public notice of the Township ownership of the roadway and to verify that my search did not reveal any Township ordinances with respect to the transfer, ownership or maintenance of the L. R. 2030. The only reference to it is the correspondence to the then Township Commissioners, indicating that the road was to be transferred over to the Township in good condition.

A visual inspection of the road indicates that the Township Commissioners did not appear to make certain that the transfer was in first class condition when accepted and has not yet arranged to apply for Liquid Fuel reimbursement for the road, which was accepted.

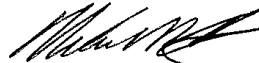
Township of Collier Board of Commissioners
Attn: George Macino, President
May 9, 2018
Page 3

Please note that the L. R. 2030 is the only access to this property and any vacation of the roadway by the Township of Collier would constitute a taking of the property, as there is no other access to the property, which will be developed.

I will be happy to meet with any representatives of the Township of Collier and/or the road chairman to determine how the Township plans to address this road, which was accepted by former Township Commissioners.

I also presented to the Township Secretary, at the meeting, a CD with the various Pennsylvania Department of Transportation highway plans for the relocation of L. R. 2030 and evidence of transfer information to the Township of Collier.

Very truly yours,



Michael B. Kaleugher
Nancy L. Kaleugher
8 Arlington Avenue
Carnegie, PA 15106

Attachments

Mr. Kaleugher then requested that Mr. Caun contact the CTMA Members, Kevin Brett, and NIRA to set up a meeting and talk about the consent order.

Jim Stoker of 158 Beram Avenue approached the Board with concerns about parking on the street from Enterprise rental cars. Can we make a residential parking only on the street.

Commissioner Macino stated we have had different issues in the past about parking there.

Commissioner Ruffennach suggested having a resident parking permit that they could put this pass on their car or on the mirror or if they have friends over. The police would know they are permitted to park there when they are patrolling.

Mr. Stoker stated he is not trying to put a burden on the police department. Enterprise use to have parking over where the Texas Road House was and now they park on the street. If there were a permit zone where we could call the police and say this car was left on the street and is not a resident. We are not asking for extra patrols to create a burden for anyone it is just a matter of trying to clean up what they leave there every day.

Commissioner Macino stated we will look into it.

Joe Seaman of Beram Avenue stated just this past Saturday; the intersection on both sides of the road was jammed up with parked cars. A fire truck or ambulance would not be able to get through. Officer Vojtko was there they because the cars parked all the way up to the intersection of Route 50. All of us neighbors approached them nicely and asked them to please take the residents of the street into consideration and they do not. They have been ignorant and parked closer to our driveways so we can't get out. Someone is going to get hurt. He talked to a man at Enterprise and he said management is looking for other parking arrangements. The Kirwan Heights Fire Chief, Troy Riddle, said they barely have enough room to get an ambulance through. We have tried for two years to get something done about the parking problems here.

Commissioner Macino said we will see what we can do.

Mr. Thauvette stated that if the Board and the Police are not opposed to a residential permit parking ordinance on selected streets in the Township, we can look at surrounding communities that have this ordinance and come up with something cost effective. It would probably only take Enterprise one or two times of having a personal vehicle towed that they would quit telling people to park on Beram Avenue.

Commissioner Durisko stated it could push parking cars somewhere else.

Chief Campbell stated we would have to do that whole area. An Ordinance would need to be done for the police to ticket cars. This area has been a problem for four (4) years.

VIII. NEW BUSINESS:

1. Consider action on Conditional Use approval of SMSA L.P. d/b/a Verizon Wireless for the colocation of communications antennae on the rooftop of 1195 Washington Pike, Bridgeville, PA 15017, with the conditions noted in the Township Engineers review letter dated April 5, 2018.

Motion was made by Commissioner Ruffennach, seconded by Commissioner Macino, to approve the Conditional Use SMSA L.P. d/b/a Verizon Wireless as stated above. By unanimous vote the motion carried.

2. Consider action to authorize the Planning Commission to draft proposed Ordinance changes to the Zoning Ordinance and also the Subdivision/Land Development Ordinance.

Motion was made by Commissioner Williams-Zabicki, seconded by Commissioner Ruffennach, to authorize the Planning Commission to draft proposed Ordinance changes to the Zoning Ordinance and also the Subdivision/Land Development Ordinance. By unanimous vote the motion carried.

3. Consider action to submit a letter of intent to pursue a Fire and Emergency Services Study in partnership with the Pennsylvania Department of Community and Economic Development.

Motion was made by Commissioner Ruffennach, seconded by Commissioner Durisko, to submit a letter of intent to pursue a Fire and Emergency Services Study in partnership with the Pennsylvania Department of Community and Economic Development. By unanimous vote the motion carried.

4. Consider action to appoint Deeana Giroski as a part-time front desk clerk for the Community Center at a rate of \$9.00 per hour effective May 1, 2018.

Motion was made by Commissioner Durisko, seconded by Commissioner Ruffennach, to appoint Deeana Giroski as a part-time front desk clerk for the Community Center as stated above. By unanimous vote the motion carried.

5. Consider action to do the following transfer:
 1. Approval of the transfer of \$50,000.00 from the General Fund Checking Account to the Capital Fund Checking Account.

Motion was made by Commissioner Williams-Zabicki, seconded by Commissioner Ruffennach 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 April 12, 2018 to May 8, 2018 in the amount of \$273,421.81.
2. Bills requested for payment for May 9, 2018 in the amount of \$303,599.01.

Motion was made by Commissioner Williams-Zabicki seconded by Commissioner Durisko, 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 April 12, 2018 to May 8, 2018 in the amount of \$77,405.00
2. Bills requested for payment for May 9, 2018 in the amount of \$18,015.57.

Motion was made by Commissioner Williams-Zabicki, seconded by Commissioner Durisko, 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 Williams-Zabicki to adjourn the meeting at 8:06 p.m. By unanimous vote the motion carried.

George E. Macino – President
Board of Commissioners

Valerie A. Salla
Township Secretary