

**MINUTES
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

REGULAR MEETING

September 12, 2018

7:00 P.M.

I. CALL TO ORDER: Commissioner Macino called the meeting of the Board of Commissioners to order at 7:03 P.M.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

BOARD

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

STAFF

Chuck Means, Solicitor - Present
Kevin Brett, Engineer - Present
Sgt. Ferrence, Collier Police - Present
Robert Caun, Planning Director - Present
Bob Palmosina, Public Works Director - Present
Rochelle Barry, Parks Director – Absent
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 and legal issues. The Commissioners also held an executive session meeting following the August 22, 2018 Workshop meeting.

D. REPUBLIC SERVICES – No representative.

Commissioner Macino questioned if someone was supposed to come to the meeting.

Mr. Thauvette stated yes they were informed and gave an update issues with their services. Mr. Thauvette met with John McGoran and the plant supervisor of Republic Services and Mr. McGoran informed Mr. Thauvette their plan of attack was to start with their outer most communities and work back to home base. They quickly realized the community that hosts them should not be at the bottom of the list and restructured the way things are done. For the past couples we have not had any complaints from residents. It does seem like the Commissioners request for them doing a better job has been heard. Mr. McGoran attended the Manager’s coffee hour and provided some educational resources to the residents on recycling. Recycling is becoming more difficult with China taking less and less of what we are able to export because of the cleanliness of the recyclables. We will continue to educate our

residents with what they can and can't recycle. Mr. Thauvette did notice one day last week on Carnoustie that there was a garbage truck with a driver and two (2) people picking up the garbage and a pickup truck following behind them making sure everything was picked up. If their services become an issue again we will deal with it accordingly.

Commissioner Chiurazzi questioned if Mr. Thauvette invited Mr. McGoran and why did he not show up.

Mr. Thauvette stated yes and he did not know why.

Commissioner Chiurazzi stated showing up at coffee hour does not work and advised Mr. Thauvette to let Mr. McGoran he is not happy. Mr. McGoran has ignored his emails and it will happen again. Where are we contractually?

Mr. Thauvette stated we have 3 ½ to 4 years on the contract.

Commissioner Chiurazzi questioned if there is anything in the contract if garbage was missed if there is any penalty?

Mr. Thauvette stated it is a breach of contract so we should have the ability to solicit other companies.

Commissioner Chiurazzi stated his concern is with this company not showing up or not responding to any of the emails. He is done and will not take any more grief from his constituents. Our contract does not have any teeth in it and Commissioner Macino is now skeptical of this company.

Commissioner Chiurazzi questioned if the garbage issues are only here in Nevillewood.

Mr. Thauvette stated no, there were complaints all throughout the Township.

Commissioner Macino stated relative to the contract we are in a stage of disadvantage. There are only two (2) companies that can handle a Township of our size. We can look at the contract to see if there are any penalties we can assess them.

Mr. Thauvette stated that last time he looked through the contract there were not really any penalties we could assess against them.

Mr. Thauvette stated we will let Mr. McGoran know we are disappointed that Republic Services did not show up.

Commissioner Macino stated when this contract is up we need to look at other companies and also look into penalties for breach of contract. Mr. McGoran is a nice man but feels we need to speak to the General Manager.

E. PROCLAMATION – Missie Berteotti.

Commissioner Macino stated that Ms. Berteotti stated this is a resident that plays professional golf for a living and has also helped people in their life.

Commissioner Macino read the proclamation aloud.

Ms. Berteotti thanked the Commissioners.

II. APPROVAL OF MINUTES:

A. August 8, 2018 – Board of Commissioners Regular Meeting

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

B. August 22, 2018 – Board of Commissioners Workshop Meeting

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

There were no other questions or comments.

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

Mr. Thauvette added the following:

1. *Rock the Quarry 2018.* Was a fantastic event. There was a great turnout. Thanked Kay Downey-Clarke, Public Works, Police and Valerie Salla for all the help they gave Kay.
2. *Collierfest.* Is Saturday, September 22, 2018 from 2:00 p.m. to 9:00 p.m. There will be fireworks this year at the end of the event.
3. *Fire Study with the DCED.* Has officially started and we had a tele-conference call with all three (3) fire department chiefs and the consultant. The consultant said it will take five (5) to six (6) months to produce this report to us.

4. *Newbury Plan Traffic Plan.* There will be a left turning lane at Prestley and Thoms Run Road which has already been approved in the plan.
5. We received a letter from PennDot regarding a traffic study for the intersection of Collier and Prestley Street. There have been many resident complaints with the traffic through there. PennDot did do a traffic study and PennDot determined that it does require a four (4) way stop and it is already in the works for PennDot to install them.

There were no questions or comments.

D. Codes/Zoning:

Mr. Caun submitted a written report to the Board for the month of August and would be happy to answer any questions the Board may have.

There were no questions or comments.

- E. COG:** Commissioner Ruffennach reported there was no meeting. The COG has taken a break for the summer months.

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

Mr. Hinds added we have officially begun the budget process and each Director was given a worksheet to start accumulating data for the budget and within the next few weeks to a month they will be contacting their Board committee member to review the first draft of data.

Commissioner Macino stated that it looks like we are on face with the year for tax collections.

Mr. Hinds stated we are on target for the taxes this year paid by discount.

Commissioner Macino questioned how the Township benefits from a business sale of 2.5 million that just took place from 711 buying Sunoco.

Mr. Hinds stated we get the benefit of the real estate transfer tax.

Commissioner Macino asked Mr. Caun if there were any changes being made.

Mr. Caun stated this is only a change of ownership. No signage and no remodeling. It is strictly a name change.

Commissioner Chiurazzi stated he was asked about uncollectable taxes at the prior meeting and thanked Solicitor Means and his firm for coming to his office and review the uncollectable taxes on properties that are over 80 to 90 years old. We discussed ideas of how we can collect some of them.

Mr. Hinds informed the Board that August was the first month we moved nearly all of our accounts over to Brentwood Bank. We have earned a little over \$1,030 in additional interest that we would not have seen if we leave the accounts where they were.

Commissioner Chiurazzi questioned where that money goes.

Mr. Hinds stated the Commissioners decided to set up a separate account and is on the balance sheet as interest earnings and is not budgeted money. The Board can decide what to do with that money at a future date.

There were no other questions or comments.

G. Parks and Recreation Report: Ms. Barry was absent and had submitted a written report to the Board for the month of August.

Mr. Thauvette reminded the public on the following:

1. Car cruise at Collier Park this Sunday from 10:00a.m. to 2:00 p.m. and it is weather permitting.
2. The In Chartiers Valley magazine has a 3 page spread for all the upcoming events in Collier
3. ADA picnic tables bid is on the agenda this evening. The bids came in really reasonable. It will be just over \$15,000 to replace the picnic tables at all of our parks. The grant we received is \$20,000 so our project will be entirely covered by the grant. We need to accept the bid tonight and then move forward.

There were no other questions or comments.

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

Mr. Caun added the following:

1. Planning Commission did meet for the SALDO Amendment for more than one entrance into a housing plan. This is to the Solicitor for the final draft. It will then go to the County for their review and then come to the Board of Commissioners for a public hearing.
2. The Zoning Hearing Board will meet next Tuesday, September 18, 2018 for a request from Planet Fitness to have an additional logo in their building.
3. The asbestos contractor started the remediation work at Collier Park buildings and will be followed by the demolition contractors.

Commissioner Macino questioned who checks to make sure all the asbestos is out.

Mr. Caun stated Allegheny County has control for the asbestos and have permits for that.

Commissioner Chiurazzi questioned Mr. Caun if the zoning board does not want the development off Route 50.

Mr. Caun stated he cannot answer that.

Commissioner Chiurazzi questioned if Mr. Caun is aware we had to file a brief and they are costing the tax payers money.

Mr. Caun stated he believes they are aware of it.

Commissioner Chiurazzi questioned do they want to oppose development.

Mr. Caun stated he doesn't know. They are opposing the entrance drive. He doesn't know if they oppose the development. I can't answer for them.

Solicitor Means stated the Zoning Hearing Board is opposing three (3) specific variances. Of the three, only one matters because the Commissioners approved the lighting levels which took away the signage variance. We are left with the little private/local road issue and if this variance is denied it would stop the project as it is designed. The developer would have to re-design it or the Commissioner could change that road requirement.

Commissioner Chiurazzi questioned if the Zoning Hearing Board gets their way, does the development stop?

Solicitor Means stated if they get their way and the court upholds the variances, the variances would not be issued and would not stop development but the Board of Commissioners has the ability to change those ordinance sections as it sees fit and whenever it sees fit. Ultimately it will be up to this board.

Commissioner Chiurazzi stated we as tax payers are paying for this opposition and he wants Sheetz to know that he supports whatever we can to support that development.

Mr. Caun stated he feels Sheetz knows that.

There were no other questions or comments.

IV. Public Safety – Fire Department Report: A written report was submitted for the month of August and Chief Dan Wauthier of the Presto VFD was in attendance to answer any questions the Board may have.

Chief Wauthier stated the Newbury Plan will be having a traffic light installed at Thoms Run and Presto Sygan Road. He has called Gateway Engineers and has left several messages and a South Fayette Township employee /Fairview VFD has called and left messages at Gateway also and we have gotten no return calls. We are looking for some

type of pre-emption device because of traffic backing up in front of the station even with the current stop signs in place. This makes it hard to get in and out of the department for fire calls. Could the Township contact either South Fayette Township or Gateway Engineers to find out.

Mr. Caun stated he would contact Gateway Engineers and have someone get back to Chief Wauthier.

Commissioner Chiurazzi questioned when the traffic light was going in. He heard it wouldn't be until after the development was completed.

Mr. Caun stated the light is to go in when the residential section is completed and before the commercial section starts and that should be now. Phase II will have a turning lane put in on Thoms Run when Newbury gets tenants in the commercial section.

Chief Wauthier thanked the Board.

There were no other questions or comments.

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

Commissioner Chiurazzi thanked Sgt. Ferrence for everything he is doing while the Chief is away.

Commissioner Macino also thanked Sgt. Ferrence.

There were no other questions or comments.

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

Mr. Palmosina added the following:

1. Meadow path work lots great and is fully open.

Commissioner Chiurazzi stated he wished the path could connect to some other path so it is not a path to nowhere and the guys did an amazing job done on the hillside.

2. Evan Murphy, summer work helper, was in attendance and Mr. Palmosina thanked him for the great work he did this year. He is a senior this year and getting ready to move onto college and hopefully we get him back next year.

Commissioner Macino questioned if there was any damaged from the recent storm.

Mr. Palmosina stated we had some with trees being down. We cleaned up a tree on a State road because the State could not get to it for 3 to 4 hours and we did it in an hour.

Commissioner Macino questioned what Mr. Palmosina thinks we will get this weekend from hurricane Florence.

Mr. Palmosina stated we will get some rain but not like what the South is getting.

Commissioner Chiurazzi stated he has been here for five (5) years and has never had a public works guy like Bob. He is Saturday and Sunday and doing texts to keep us update. Bob is amazing and we have no issues with the public works guys.

Mr. Palmosina thanked Commissioner Chiurazzi and stated the credit is not all to him and he tries to keep the Commissioners updated. He has 11 guys and is very fortunate to have guys that care about their community and that makes his job easier. He appreciates the Commissioners hiring him and it is a great place to work.

There were no other questions or comments.

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

VII. PUBLIC COMMENT / COMMENT ON NEW BUSINESS:

Terry Bell of 793 Marigold Court, Bridgeville approached the Board asking if the Township has a collection of written policies such as ethics. Allegheny County has them and was wondering if we have a collection somewhere that he can review. Allegheny County has a very very large collection of policies and he assumed the Township could have them too. It is not on the website so he is asking.

Solicitor Means stated we do not have a collection of policies. Most of the policies that amount to a law are called Ordinances and we do have a code book.

Mr. Bell stated he is looking for guidance on how the Township conducts its business.

Solicitor Means stated we have an Open Records policy....

Mr. Bell stated he is well aware of the Open Records policy.

Solicitor Means stated things that are of guidance that are not found in Ordinances are found in the First Class Township Code. This is a code of laws that the State has passed and governs the structure and all operations of all of the Townships across the State.

Mr. Bell questioned if we follow them.

Solicitor Means stated we have to. That is State law.

Mr. Bell questioned how we would get a copy.

Solicitor Means he could google First Class Township Code and it will be online. We also follow the State Ethics Law which is not in the First Class Township Code. This is for all municipalities. This law is online also under the State Ethics Commission website.

Mr. Bell commented “then we don’t follow the Allegheny County policies.”

Solicitor Means stated “no, that is a County and we are not a County.”

Solicitor Means stated the First Class Township Code is guidance on what a quorum is, when meetings are held, what we are allowed to appropriate money for, how accounts are structured, what offices we have to have, etc. We also have to follow things that are not in that book and that is the State Ethics Law which governs conflict of interest and reporting for all municipalities. We follow that very carefully in reporting and we ask questions of the State Ethics Law and get letters of counsel and guidance back. This is not found in the First Class Township Code.

Mr. Bell questioned if we follow the Allegheny County Ethics Code.

Solicitor Means stated no, that governs the County and we are not the County.

Mr. Bell stated he understands that but even though we are in the County we skip the County and go to the State so if he is interested in those kinds of things he has to go to the State.

Solicitor Means stated right. The County does not have governance over the Township. What governs the Township is the First Class Township Code of the State Law.

Mr. Bell stated “ok.”

Commissioner Macino thanked Mr. Bell.

VIII. NEW BUSINESS:

1. Consider action on bond reduction request #5 for Centennial Pointe Phase 1. The Township Engineer recommends the Township release the bond amount in its entirety from \$18,798.54 to \$0.00.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Durisko, to approve the Bond Reduction request #5 for Centennial Pointe Phase I as stated above. By unanimous vote the motion carried.

2. Consider action on bond reduction request #7 for Centennial Pointe Phase 1A. The Township Engineer recommends the Township release the bond amount in its entirety from \$770.00 to \$0.00.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Durisko, to approve the Bond Reduction request #7 for Centennial Pointe Phase 1A as stated above. By unanimous vote the motion carried.

3. Consider action Resolution 091218-01, A resolution approving a revision to the “Official Sewage Facilities Plan” to include Gregg Station Residential Subdivision.

Commissioner Macino asked the Engineer to explain this.

Mr. Brett informed the Board that because there is a Consent Order in Allegheny County, Planning Modules are now required to have an approved Resolution for Official Sewage Facilities Plan. These Resolutions will be done from this point moving forward on every development. This is just the Township acknowledging that the Authority did the plan review but this Board has authorization to act on it.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Macino, to approve Resolution 091218-01 as stated above. By unanimous vote the motion carried.

4. Consider action to award the bid for ADA Picnic Tables for Collier Parks to Lion Outdoor, LLC in the amount of \$15,732.50 subject to Allegheny County receiving their funding form HUD and Allegheny County confirming a contract with the CHAR-WEST COG

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Durisko, to award the bid for ADA picnic tables to Lion Outdoor, LLC as stated above. By unanimous vote the motion carried.

5. Consider action to approve the advertising for public bid, the re-grading and resurfacing of the Panhandle Trail in partnership with the Friends of the Panhandle Trail.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Durisko, to approve advertising for public bid regarding the re-grading and resurfacing of the Panhandle Trail as stated above. By unanimous vote the motion carried.

6. Consider action to accept the 2019 Financial Requirement and Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$140,963 and Police Pension Plan in the amount of \$318,088.

Mr. Hinds stated this is required to report these budgeted amounts for 2019. This is offset by State Funds.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Macino, to accept the 2019 Financial Requirement and Minimum Municipal Obligation (MMO) as stated above. By unanimous vote the motion carried.

7. Consider action to do the following transfer of \$26,000.00 from the General Fund Account to the Capital Fund Checking Account.

Motion was made by Commissioner Durisko, seconded by Commissioner Chiurazzi 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 August 9, 2018 to September 11, 2018 in the amount of \$434,889.57.
2. Bills requested for payment for September 12, 2018 in the amount of \$151,246.74.

Motion was made by Commissioner Chiurazzi 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 and checks written from August 9, 2018 to September 11, 2018 in the amount of \$1,537.12.
2. Bills requested for payment for September 12, 2018 in the amount of \$26,469.82.

Motion was made by Commissioner Chiurazzi, 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 Chiurazzi, seconded by Commissioner Macino to adjourn the meeting at 7:55 p.m. By unanimous vote the motion carried.

George E. Macino – President
Board of Commissioners

Valerie A. Salla
Township Secretary