

COLLIER TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING

August 23, 2021

7:00 P.M.

I. CALL TO ORDER: President Chiurazzi called the meeting of the Board of Commissioners to order at 7:00 P.M. This meeting was held both publicly and virtual.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

BOARD

Mary Ann Cupples – Present
Debra Zymroz – Present
Rick Ruffennach – Present
Daniel Styche – Present
Wayne Chiurazzi, Esq. – Present

STAFF

Kay Diersen, Solicitor - Present
Kevin Brett, Engineer - Present
Craig Campbell, Police Chief – Present
Robert Caun, Planning Director – Present
Jeff Hinds, Finance Director – Present
Tom Plietz – Bldg/Fire Codes – Present
Bob Palmosina, PW Director – Present
Josh Werner, Parks Director – Present
Kyle Thauvette, Twp. Manager - Present
Valerie Salla, Twp. Secretary – Present

C. EXECUTIVE SESSION – Was held to discuss legal and personnel issues.

II. APPROVAL OF MINUTES

A. July 12, 2021 – Board of Commissioners Workshop Meeting

Motion was made by Commissioner Styche, seconded by Commissioner Zymroz, to approve the minutes as stated above. By unanimous vote, the motion passed.

B. July 26, 2021 – Board of Commissioners Regular Meeting

Motion was made by Commissioner Cupples, seconded by Commissioner Chiurazzi, to approve the minutes as stated above. By unanimous vote, the motion passed.

III. PROCLAMATION – CV Girls Basketball Team

Mr. Thauvette read the Proclamation out loud to the team and public.

Congratulations were given and pictures were taken.

IV. REPORTS OF OFFICIALS AND COMMITTEES:

All reports were submitted to the Board prior to the meeting.

A. Solicitor:

B. Engineer:

C. Manager's:

D. Building/Codes:

E. COG: *(COG on summer break. Remove from Agenda until September 2021)*

F. Finance:

G. Parks and Recreation:

Commissioner Styche questioned when the Pickleball Court resurfacing will take place.

Mr. Werner stated within the next couple of weeks.

Mr. Thauvette stated he followed up today with the installer and we will have to close the Tennis Courts for the resurfacing and it should be within two (2) weeks weather permitting.

H. Planning/Development/Zoning:

I. Public Safety – Fire:

J. Public Safety – Police:

K. Public Works:

Commissioner Styche questioned if the safety barrier was installed at Hilltop Park.

Mr. Palmosina stated we are still dealing with Rock the Quarry and will put up a temporary fence until we get the barrier.

L. Sewer Department:

A motion was made by Commissioner Styche, seconded by Commissioner Zymroz to approve all the Directors reports as submitted. By unanimous vote, the motion passed.

V. Presentation: Woodville Plantation and the Neville House

Rob Windhorst, Executive Director of the Neville House gave a presentation to the Board with the new logo and name of Woodville Plantation. They developed the Woodville Experience. The John and Presley Neville house, is Southwestern Pennsylvania's principal link to the late 18th century, interpreting the time period of 1780-1825 and documenting the lives of the three families that resided there, the Neville's (1775-1815), the Cowans (1815-1835), and the Wrenshall's (1835-1975).

The Woodville Experience is designed to educate, inspire, and bring early American history to life. Over the past 235+ years, Woodville, home of John and Presley Neville, stood against the elements, rebel attacks, reconstruction, and unfortunately, neglect. During its early years, the grounds were a much-welcomed rest stop and sanctuary for weary travelers and dignitaries. Most famously, it was a focal point for The Whiskey Rebellion of the 1790s.

Today, Woodville is a National Historic Landmark, known for its rich history as the oldest standing residential property in western Pennsylvania. It was first constructed by Brigadier General John Neville in 1775, and its subsequent ties to the Whiskey Rebellion are a great part of what draws visitors. With your support, we envision being able to share countless more slices of history and important perspectives regarding early American life in the Pittsburgh region through the reconstruction project.

In 2020, they received a barn from a Latrobe farm that resembles the buildings currently on the Woodville Plantation. The 18th century barn was dismantled and rebuilt on our property. The hope is to be able to rent the barn out for events and weddings.

The next phase will be to bring in an 18th century log cabin to be used to interpret the people that lived on the site and local community history.

Mr. Windhorst hopes to bring more visitors to Collier once the project is complete. He thanked the Commissioners and other donors for their support.

Commissioner Zymroz stated she and three (3) other Commissioners attended the presentation at the Woodville Plantation for the finished barn and it was well presented and is a gorgeous place. She advised everyone to go see it.

Commissioner Chiurazzi suggested Mr. Windhorst have Collier Township placed on a sign, so people know they are in Collier Township.

The Commissioners thanked Mr. Windhorst for the presentation.

VI. Public Comment/Comment on New Business Items:

3-minute duration to each signed up participant. Any comments were submitted via email to the manager prior to the meeting and by 4:00 p.m. the day of the meeting.

Ed Smith of 1086 Gregg Station Road approached the Board updating them about his dog being attacked on the Trail by two (2) pit bulls. Thanks to Chief Campbell that filed criminal charges. The dog owner from Oakdale plead guilty to the charges and Mr. Smith will be receiving restitution this week on the vet charges. The other problem he is having

is with his neighbor's rooster. The Code Officer, Wilson Durisko, filed a citation against the so-called owner. There was a hearing at the Magistrate's last week and the Magistrate determined that we could not prove my neighbors were the owner of the rooster. The neighbor has 20 chickens and a few roosters. Since we could not prove the neighbor was the owner of the rooster, the Judge dismissed the charge. Mr. Smith questioned where he goes from here? If the rooster is not owned by anyone, is it a feral animal and can he shoot it if he sees it, which he would like to do. He hopes there is some kind of review being done by the Chief and the Solicitor about this animal. The Chief and Sgt. Lamb visited Mr. Smith's property about a month ago on other unrelated matters and they saw the flock going across the driveway. There are 20 chickens and there are roosters. The Police saw them.

Commissioner Chiurazzi stated this is an on-going legal issue and we can not comment on those issues. Our Solicitor will comment to this Board on this matter and it is still an ongoing legal matter.

Chief Campbell pointed out that Mr. Smith can absolutely NOT shoot the roosters.

Mr. Smith stated what if it comes on his property.

Chief Campbell stated he can NOT shoot the roosters.

Mr. Smith stated he trusts the Township and for the neighbors to claim they are not the owners of the roosters when they have a big fenced in coop/house where these chickens and roosters go. We must prove they are the owner. He said the Magistrate questioned if there was an ID tag around the rooster's neck. What kind of question is that? Who puts ID tags on roosters?

Commissioner Chiurazzi stated it is a legal issue with Collier Township and we will deal with it and told Mr. Smith to NOT shoot the rooster. Mr. Thauvette will keep Mr. Smith posted on the rooster.

Mr. Smith said ok and then proceeded to thank the Public Works Department for the snowplows doing a great job on Gregg Station Road.

Chip Misner of 2 Dorothy Street approached the Board stating he lives downstream of Prestley Heights. In 2012 was his first flooding from the Prestley Heights water run off that ends up in his basement. In 2012, the old administration promised him they would take care of this problem. In 2013, 2014, 2015 and 2016, Sal Sirabella still promised to take care of this flooding issue from Prestley Heights. In 2017, the Board and management changed. This is now 2021 and a total of nine (9) years have passed since he brought his concern to the Board. Nothing has been done and he doesn't even know if there is a plan. The Commissioners should know if there is a plan or not. The engineers should know about the problem. Public Works should know about the problem. There has been nothing done to solve his flooding issue. This issue still occurs as of August 12, 2021. He has called 911 several times about getting flooded. The DEP has been contacted. Mr. Misner does not understand why the Township would put him and his family in harms way for 9 years. He would like an answer and he did not keep a running tally of how many phone calls, videos and emails he sent to the people in charge in the administration office. The retention pond for Prestley heights drains into the field behind

his home. All the storm sewers are connected to Shadow Drive. The water comes out of all this pipes and runs down into his basement. If there is a plan, action needs taken and there has been no action taken. There is money to take care of this problem and why is it not important to the Board to correct this.

Commissioner Chiurazzi stated he did not know but if it was a Collier issue, it would not have lasted 9 years and asked for Mr. Thauvette to put this on the Board's discussion list. He did not feel Collier Township was intentionally flooding his property and outside of a legal issue that may be going on with the developer, he did not know. He is sorry that Collier Township has failed you and it was not intentional.

Mr. Misner stated the previous administration promised and promised to take care of this. Mr. Thauvette has come out and met with him, but we still are not getting anywhere.

Commissioner Chiurazzi stated this Board will discuss this and get better informed so we can get an answer and thanked Mr. Misner for coming to the meeting.

James Uniatowski of 1 Dorothy Street approached the Board with photos and videos of the flooding that happens to his home also from Prestley Heights. He submitted them to the Township Manger, Mr. Thauvette.

Mr. Thauvette stated he will give everything to the Board to review and update the Board on the flooding issues.

VII. Board Discussion

1. Collier Community Park Theater/Banquet Building

Commissioner Styche stated the Board has started discussion on having the engineers look into the preliminary cost estimate for a new building. He stated the community is growing and he and Commissioner Zymroz were interested in having another building built that is large enough to handle larger capacities.

Commissioner Chiurazzi questioned where they were thinking of placing this new building.

Commissioner Zymroz stated to the right when you come into the Collier Park where the barracks used to be.

Commissioner Styche stated part of the plan is to put in an amphitheater. The building we are proposing would be a stage on the inside for live theater presentations with an exterior wall that opens up to have an outside amphitheater.

Commissioner Zymroz stated the building could be rented out for weddings, graduations, dances and fundraisers. We have nothing in Collier that is big enough. Our current community center holds 80 people comfortably. We have to go outside of the Township to rent a facility. We could use the new building for basketball tournaments also.

Commissioner Cupples stated she would be interested in knowing the cost before she would say yes or no to a new building. She felt it is something to consider.

Commissioner Ruffennach stated he knows this is just looking into what it would cost but it is still going to cost money to the engineers. There have been different organizations asking for money and we have told them the budget has already been set for the year. We are interviewing for Public Works and he is still not sure how that is being paid for yet. He is concerned where the money would come from and right know the money is kind of tight. The 2022 Budget is going to start in a couple months and maybe this is something we can think of for 2022. There are other things more important like getting a sanitary sewer line over to stockyard, Public Works building, and should have been done when that building was put in. He is not against it but wants to know how we are going to pay for what we want to start doing. There are also legal issues that are going on that we have to pay for. The well is going to run dry.

Commissioner Styche stated he has been in discussion with Jeff Hinds and Kyle Thauvette and funds are available to do the study.

Commissioner Ruffennach stated he has asked 100 times about the money and he has been told but he needs to see and he hasn't seen anything. He must see the proof.

Commissioner Styche stated this was brought up two (2) weeks ago and if Commissioner Ruffennach was concerned about the funding he could have come up here two weeks ago and asked Mr. Thauvette.

Commissioner Ruffennach stated he has. He has asked about this and about the public works guy. He needs to see where the money is before he can say yes or no at this stage of the game because things are tight. If we get into an emergency, we are going to have some money.

Commissioner Zymroz asked Mr. Hinds and Mr. Thauvette to give something to Commissioner Ruffennach to satisfy his curiosity of paper.

Mr. Hinds stated we have talked in the past about monies being shifted from one area to another to pay for these things, but nobody has given specific instructions of what money is to be shifted over to pay for them. There is a decision that must be made by the Board on which monies are to be shifted from part A to part B.

Commissioner Chiurazzi asked for a motion.

A motion was made by Commissioner Styche, seconded by Commissioner Chiurazzi to have a preliminary estimate done for a theater/banquet room building at Collier Park. By a 4 to 1 vote, the motion carried. Commissioner Ruffennach was opposed.

VIII. New Business:

1. Consider action to adopt Ordinance #720; An Ordinance for the acceptance of Overlook Drive a portion of Sunrise Drive in the Prestley Heights Plan.

Motion was made by Commissioner Styche, seconded by Commissioner Zymroz, to approve Ordinance 720 as stated above. By unanimous vote, the motion carried.

2. Consider action to grant preliminary and final land development approval to Kossman Development Company for the proposed Starbucks Coffee Shop with the condition of addressing the items in the LSSE review letter dated August 17, 2021 and the granting of the following modifications:
 1. A Modification request from SALDO Section 804.1 to not provide sidewalks in front of the proposed Starbucks.
 2. A Modification request from SALDO Section 8058.1.A.4 to allow the outdoor patio area to be used as the required Recreation Open Space.
 3. A Modification request from The Stormwater Management Ordinance Section 401.3.C.15 to allow conveyance facilities to be designed for the 25-years/24-hour storm event for the existing storm sewer to be relocated.

Commissioner Zymroz questioned the 100-year flood and the pipe sizes.

Kristina Razzo of Civil and Environmental Consultants showed and explained the pipes on the drawing. The existing metal pipe is 24 inches and we are proposing a 24-inch plastic pipe. The plastic pipe can move more water than the metal pipe because the metal pipe has groves in it. The Township Ordinance requires the pipe to move water for a 100-year flood and the existing metal pipe does not and was not designed that way.

Commissioner Chiurazzi questioned if the existing pipe handle the water capacity now.

Mr. Brett stated in this case it does. It flows through the development's property. Relocating the 24-inch pipe does require a waiver for the Ordinance. The shopping center was built a long time ago and this should not present a problem because the water flows through the existing property.

Commissioner Chiurazzi questioned the sidewalks. We are a Township of sidewalks.

Mr. Caun stated the Ordinance requires sidewalks on the frontage of the property. This parcel is in the middle of the shopping center and our Ordinance would require a sidewalk where people would be walking into traffic.

Mr. Kurtis Kossman of Kossman Development. His father built the shopping center. They have not seen any flooding on the property. Mr. Kossman explained the site plan for the Star Bucks and where the sidewalks will be located on the drawing.

Commissioner Styche questioned the recreation open space and did not feel it met the Ordinance to say the outdoor area is suffice as the recreation open space.

Mr. Kossman explained the open area on the site plan. The open area can be gotten to from inside the building and outside the building. It is a public venue, but it is not a park.

Commissioner Styche felt that if we have businesses trying to use their outdoor seating area as recreation space to meet the Ordinance instead of the fee in lieu of for recreation space, more businesses would be doing this to get out of the fee.

Mr. Caun stated there is a provision in the Ordinance that if you cannot meet the recreation open space, there is an option to provide a fee to the Township that goes strictly to amenities in the Township Parks. The fee is based on an appraisal of the parcel and the fee is 1% of the certified appraisal amount.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach, to approve 1, 2 and 3 provisions as stated above. By a 3 to 2 vote, the motion carried. Commissioners Styche and Cupples were opposed.

3. Consider action on Resolution # 082321-01; A Resolution appointing a representative and an alternate to the Governing Board of the Chartiers Valley District Flood Control Authority.

Kyle Thauvette will be the representative and Dan Styche will be the Alternate.

Motion was made by Commissioner Zymroz, seconded by Commissioner Chiurazzi, to approve Resolution 082321-01 as stated above. Be unanimous vote, the motion carried.

4. Consider action to authorize Lennon, Smith, Souleret to prepare designs and cost estimates to extend a sanitary sewer line into the Collier Township stockyard.

Commissioner Ruffennach questioned if this will be paid out of the sewer fund.

Mr. Hinds stated yes it will be paid out of the sanitary sewer fund.

Motion was made by Commissioner Ruffennach, seconded by Commissioner Cupples, to approve Lennon, Smith, Souleret to prepare designs and costs estimates as stated above. By unanimous vote, the motion carried.

IX. Account Transfer:

- Approval of the transfer of \$12,000.00 from the General Fund Account to the Capital Fund Checking Account.

Motion was made by Commissioner Cupples, seconded by Commissioner Styche, to approve the transfer as stated above. By unanimous vote, the motion passed.

X. Approval of General Fund Operating Account items:

- Invoices paid and checks written August 10, 2021 to August 22, 2021 in the amount of \$162,138.68.

Motion was made by Commissioner Cupples, seconded by Commissioner Styche, to approve the transfer as stated above. By unanimous vote, the motion passed.

- Bills requested for payment for August 23, 2021 in the amount of \$52,883.25.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Zymroz, to approve the General Fund Operating Account items as stated above. By unanimous vote, the motion passed.

XI. Approval of Capital Investment Account Items:

- Bills requested for payment for August 23, 2021 in the amount of \$11,633.65.

Motion was made by Commissioner Cupples, seconded by Commissioner Zymroz, to approve the Capital Investment Account items as stated above. By unanimous vote, the motion passed.

XII. Approval of Sewer Account items:

- Invoices paid and checks written from August 10, 2021, to August 22, 2021, in the amount of \$351.93.
- Bills requested for payment for August 23, 2021, in the amount of \$1,200.00.

Motion was made by Commissioner Styche, seconded by Commissioner Zymroz, and carried, to approve the Sewer Account items as stated above. By unanimous vote, the motion passed.

XIII. Adjourn

Motion was made by Commissioner Zymroz, seconded by Commissioner Styche, to adjourn the meeting at 8:10p.m. By unanimous vote, the motion passed.

Wayne M. Chiurazzi – President
Board of Commissioners

Valerie A. Salla
Township Secretary