

**MINUTES
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

REGULAR MEETING

March 28, 2022

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.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

BOARD

DawnLee Vaughn – Present
Tim Young – Present
Debra Zymroz – Present
Mary Ann Cupples – Present
Wayne Chiurazzi, Esq. – Present

STAFF

Kate Diersen, Solicitor - Present
Kevin Brett, Engineer - Present
Bob Ferrence, Sgt. – 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 – Absent
George Macino, Twp. Manager – Present
Valerie Salla, Twp. Secretary – Present

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

II. APPROVAL OF MINUTES

A. February 14, 2022 – Board of Commissioners Workshop Meeting

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

B. February 28, 2022 – 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. REPORTS OF OFFICIALS AND COMMITTEES:

- A. Solicitor
- B. Engineer

Commissioner Cupples stated she knows the bids went out for the roads but how long does it take to get an estimate back.

Mr. Brett stated the bids will be opened tomorrow, March 29th. He will send out a bid tab before the end of the day tomorrow so at the Commissioners next workshop meeting you will be able to discuss the bids.

Commissioner Young questioned if the list of proposed roads could be shared with anyone.

Mr. Brett stated yes, it is public record.

- C. Manager's
- D. Building/Codes
- E. COG
- F. Finance
- G. Parks and Recreation
- H. Planning/Development/Zoning
- I. Public Safety – Fire
- J. Public Safety – Police
- K. Public Works
- L. Sewer Department

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

IV. Public Comment/Comment on New Business Items:

3-minute duration to each signed up participant. Please sign in to talk and state subject.

Jim Moretti of 46 South Cowan Road approached the Board asking if they received an email, he sent to them in early March regarding property he owns on Nike Site Road. He is requesting access to the utilities so he can build a home. His property is adjacent to the utilities located near where the Barber shop was on the base which is now Collier Park. He is seeking a small extension of about 100 feet of the utilities.

Commissioner Chiurazzi asked Mr. Caun about it.

Mr. Caun stated this is something the Board would be to discuss in executive session. This is an extension of the utilities that are in Collier Park back past the tennis and basketball courts. The Board needs to talk to the engineer about this. There are utilities on Nike Site Road but are further away from his property.

Commissioner Chiurazzi questioned where Mr. Moretti's property line starts.

Mr. Moretti approached the Board with a map to show the Board his property lines.

Mr. Caun stated the Board will also need to look at what the extension of the utility lines would do to the Parks master plan.

Commissioner Chiurazzi questioned if this would have any issue with the Federal Government on our use of the park? Because it is not for the public use.

Mr. Caun spoke to the National Parks Board about a year ago regarding this and they were somewhat opposed to it but there was not enough information to give them at that time. The Commissioners will need to decide about this before we go back to the National Parks Board. The National Parks Board will have the final say and even if the Township agrees to extend the utilities, National Parks could say no. This has happened in the past on other projects.

Commissioner Chiurazzi questioned if there is another way Mr. Moretti can get sewers.

Mr. Caun stated yes but it will be costly. There is a sewer down on the trail and he would have to pump to get up by Summit Ridge.

Commissioner Chiurazzi stated the Board will discuss it and get back to him.

Tim Downey, Jr. of 9 5th Street approached the Board regarding another sewer item.

Mr. Downey stated when he was on the Parks Committee, they talked about developing the back end of the park which would require additional sewers and utilities there. The Board already knows his thoughts about running utilities to the end of property lines. Maybe the Board could coordinate this with the current development of the park property.

Mr. Downey stated there are a few properties on Noblestown Road that do not have sewers. One of those lots located at 1302 Noblestown Road has sewers available to them across the stream. Prior to the Township taking over the sewer authority, NIRA did a feasibility study on bringing sewers across and underneath the creek. He spoke to the prior manager, Kyle, who had spoke to Lennon Smith and Mr. Downey was not sure if LSSE did the same study about this. The DEP requires the sewer line to be a certain depth under the creek.

Mr. Brett stated it must be three (3) feet under the creek.

Mr. Downey questioned if anyone was aware of what Kyle was working on. The name of the property owner is Tapper.

Mr. Downey gave a little history of the sewer lines there. This property is located before the log cabin as if you were heading out past the horseshoe bend towards the cabin. In the 90's there was a main sewer line that came up through the creek and came up on the other side of the street (Elk Run) and then went west towards the log cabin and that is where the last manhole is. Everyone on the creek side has sewers and everyone on the

other side of the creek does not have sewers. In 2019, there was a property on the other side that wanted sewers. Grant funding was put in place to bring the sewers up the creek and across the road and up the road. What happened was instead of coming up one more manhole and coming up the other side of the creek to capture everyone, they went downstream with manholes and then came up the creek. They orphaned three (3) properties plus the lot at the beginning of the street. To give them service, they will have to come across that stream about 50 to 70 feet at the most. The burden is coming across the stream. Is there any chance the Township can look at this to get them sewers?

Mr. Brett stated he would look into this and he did not have anything in his report about this.

Commissioners Cupples questioned who would pay for this?

Mr. Downey stated we are looking at the sewer authority to pay for it because this property was orphaned twice and it would be a burden for the property owner to come across the stream when you are not a municipality.

V. New Business:

1. Consider action on Resolution 032822-01; A Resolution approving the transfer of Restaurant Liquor License No. R-7542 for Dee Jays Ribs & Grill into Collier Township. This is contingent upon the location of the business being Collier Township on the menu.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Cupples, to approve Resolution 032822-01 as stated above. By unanimous vote, the motion passed.

2. Consider action on Resolution 032822-02; A Resolution authorizing Township Officials, Wayne M. Chiurazzi, President and George E. Macino, Township Manager to execute all documents and agreements between Collier Township and the Commonwealth Financing Authority for the PRP Improvements Project Grant.

Motion was made by Commissioner Zymroz, seconded by Commissioner Young, to approve Resolution 032822-02 as stated above. By unanimous vote, the motion carried.

3. Consider action on Resolution 032822-03; A Resolution authorizing Township Officials, Wayne M. Chiurazzi, President and George E. Macino, Township Manager to execute all documents and agreements between Collier Township and the Commonwealth Financing Authority for the Shadow Drive Stormwater Pond Project Grant.

Motion was made by Commissioner Young, seconded by Commissioner Cupples to approve Resolution 032822-03 as stated above. By unanimous vote, the motion carried.

4. Consider action to set a public hearing date of Monday April 25, 2022 at 6:00 pm for the proposed R4 text amendment

Motion was made by Commissioner Cupples, seconded by Commissioner Vaughn to set a public hearing as stated above. By unanimous vote, the motion carried.

5. Consider action approve the updated Worker's Compensation Doctor List.

Commissioner Chiurazzi questioned where the list is posted and is it prominently displayed.

Ms. Salla stated in the Office and it will be after it is approved.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Vaughn to approve the updated Worker's Compensation Doctor List. By unanimous vote, the motion carried.

6. Consider action to authorize the Planning Commission to issue an RFP (Request for Proposals) for the 2023 Comprehensive Plan update.

Motion was made by Commissioner Cupples, seconded by Commissioner Young to authorize request for proposals as stated above. By unanimous vote, the motion carried.

7. Consider action to enter into a Developers Agreement with 76 Development LLC for Creekside Meadows.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Cupples to enter into a developer's agreement as stated above. By unanimous vote, the motion carried.

8. Consider action to approve bond reduction request No. 1 from Cozza Enterprises for Gregg Station Residential. The Township Engineer recommends the Township reduce the grading bond amount from \$773,717.18 to \$177,132.93, and the performance bond amount from \$1,105,739.80 to \$371,382.80, which is 110% of the remaining improvements and 10% of the completed items.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Vaughn to approve bond reduction request 1 from Cozza Enterprises as stated above. By unanimous vote, the motion carried

9. Consider action to hire Raylee Gabster and Mary Spolnik for the Community Center front desk employees at a rate of \$11/hr. effective April 11, 2022.

Motion was made by Commissioner Vaughn, seconded by Commissioner Young to hire the above Community Center employees as stated above. By unanimous vote, the motion carried

VI. Account Transfer:

- Approval of the transfer of \$7,000.00 from the General Fund Account to the Capital Fund Checking Account.

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

VII. Approval of General Fund Operating Account items:

- Invoices paid, checks written and Bills Requested March 15, 2022 to March 28, 2022 in the amount of \$260,516.04.

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

VIII. Approval of Capital Investment Account Items:

- Invoices Paid, Checks Written and Bills Requested March 15, 2022 to March 28, 2022 in the amount of \$7,335.39.

Motion was made by Commissioner Young, seconded by Commissioner Vaughn, to approve the Capital Fund Account items as stated above. By unanimous vote, the motion passed.

IX. Approval of Sewer Account items:

- Invoices paid, checks written and Bills Requested March 15, 2022 to March 28, 2022 in the amount of \$11,704.73.

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

X. Adjourn

A resident stood up and wanted to speak.

Commissioner Chiurazzi stated they have already made a motion to adjourn and there was already a time she could have spoken.

Commissioner Cupples stated to the resident that she should have signed in to speak under the public comment.

The resident stated she did not want to give a whole speech and came up to the podium stating her name and address.

Commissioner Chiurazzi stated the Board will listen to one person before adjournment.

Marsha Grubesky of 407 Fairacre Court stated they have been waiting to hear from Mr. Macino or the Solicitor regarding the noise ordinance. It is not on the agenda this evening

and we were told we would hear something by this evening. Can you tell us what is happening?

Mr. Macino stated he met with legal council and it has been determined there is no violation for the property owner to operate a motor bike on his property.

Mrs. Grubesky stated he is allowed to operate a motor bike on residential property.

Mr. Macino stated yes, he is.

Mrs. Grubesky questioned and the noise ordinance?

Mr. Macino stated the noise ordinance itself does not necessarily apply to this. It is cumbersome and it is noisy but at this point unless it is a sustained period of time, run all day, there is nothing we can enforce on the noise Ordinance. We do not have devices that read the decimal levels so we cannot really control this either. He spoke to the Police Chief about this and we do not have the ability to enforce the noise ordinance.

Mrs. Grubesky questioned if Mr. Macino received their proposal to change the noise ordinance.

Mr. Macino stated he did receive it and mentioned it to the Board and at this point our noise ordinance will stand as it is.

Mrs. Grubesky wanted to know how they go about changing it. Other communities have more advanced ones then we do and they would like to have it changed.

Commissioner Chiurazzi stated the Board is not going to change the ordinance.

Mrs. Grubesky questioned what is meant by sustained because this is an abuse of sound because it goes on for hours and hours and all day long. What are we talking about 1 hours, two hours?

Chief Campbell stated the noise ordinance was drafted in 1992. Back then a lot of the communities drafted a noise ordinance and none of them are really enforceable. Our ordinance is not enforceable as it is written. It would need to be re-written to be enforceable to the reasons you want them to be enforceable.

Commissioner Chiurazzi stopped the meeting and told the resident that they will need to sign in at another meeting to speak.

Another resident stated they will respond in writing.

Motion was made by Commissioner Cupples, seconded by Commissioner Vaughn, to adjourn the meeting at 7:25p.m. By unanimous vote, the motion passed.

Wayne M. Chiurazzi – President
Board of Commissioners

Valerie A. Salla
Township Secretary