

**MINUTES  
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

**REGULAR MEETING**

**February 13, 2019**

**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. - Present  
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  
Sean Gramz – 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 Robert Spencer** by the Honorable Maureen McGraw-Desmet.

Chief Campbell introduced Officer Spencer to the Board.

Officer Spencer was sworn in and welcomed by the Board of Commissioners and staff.

Commissioner Macino thanked all the Police Department for their service.

**II. APPROVAL OF MINUTES:**

A. January 9, 2019 – Board of Commissioners Regular Meeting

B. January 23, 2019 – Board of Commissioners Workshop Meeting

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

Mr. Brett informed the Board he has the estimate for the road paving program and gave each of the Board members a copy. This is preliminary and the next time we meet with everything and it is good and the Board authorizes it, we can put it out to bid.

Commissioner Williams-Zabicki questioned if we will publicize this once it is agreed upon and approved.

Mr. Thauvette stated once the roads are chosen and the bid is accepted, we can put it on our website.

Commissioner Williams-Zabicki stated that is good so the residents are aware.

There were no questions or comments.

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

Mr. Thauvette added the following:

1. ***Panhandle Trail re-surfacing.*** With the grant and working with the Friends of the Panhandle Trail, the resurfacing is now going to extend from Gregg Station all the way to the Collier Township border and South Fayette Township. In the next couple of weeks, we will have the entire section of the Collier section re-surfaced with lime stone gravel and should be in pretty good shape for the next 10 to 15 years.

Commissioner Durisko wanted to clarify that the panhandle trail re-surfacing will not be paved but a crushed lime stone.

Mr. Thauvette stated it is a crushed lime stone and they are using a paving machine to put it down.

2. ***Gateway West Bike Trail.*** This trail extends from Washington D.C. to the State of Washington includes the Panhandle Trail as part of that route. This is exciting for Collier to have more cyclist, walkers, etc. coming through Collier Township.

3. ***Thoms Run Road.*** Will be re-paved this year from Route 50 to Dutch Hollow Road in South Fayette Township. We have been meeting with the County and utility companies to make sure everything is coordinated. The County will be putting this out for bid anytime now.
4. ***Banner Community.*** Collier Township was selected again for the 7<sup>th</sup> consecutive year as a Banner Community through the Allegheny League of Municipalities. We have been one of the original members in the County to be part of this group. The Banner Community provides us with an application-based award which is based on transparency and good government. There is a list of criteria you must meet, and Collier exceeds these expectations year after year. This is a testament to our Board of elected officials for the hard work the Board does.

Commissioner Chiurazzi stated we are only one (1) of four (4) selected. Collier has been at the origin of this being selected. In this word, it is like winning the Superbowl.

Commissioner Williams-Zabicki stated it is not just because of the elected officials but the hard work everyone around this table leading their teams and the outreach and thanks to them as well.

5. ***Hilltop Road Connectivity.*** Several residents have asked that the Board take on the challenge to make a safe walking path/connection along Hilltop Road to the Discovery Trail and to the Neville's Woods trail aka the Bible Trail. This has been in the Township Comprehensive Plan and the Parks and Recreation Comprehensive Plan. These residents may be coming to the Board in the future and present a petition to show the community is eager to have this. We can look into a walkable and safe connection to these trails.
6. ***Manager Coffee Hour.*** March 11, 2019 at 9:30 a.m. at the Community Center.

There were no other questions or comments.

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

Commissioner Macino thanked Mr. Gramz for the nice reports to help the Board know what is going on.

Mr. Gramz stated the numbers keep going up and that is because of the availability and investigation the property maintenance issues as well as building and construction inspections. They are segregated out to inhouse and third-party inspections. When the new system comes in, we are looking to add another line on the report which will be evaluations per permit phase such as zoning permits, construction permits and residential permits for review.

There were no other questions or comments.

- E. COG:** Commissioner Ruffennach stated the last meeting was held in Greentree and new officers were elected. This year the COG will be working on ways to get other municipalities to join the COG. They are struggling right now. They also talked about joining forces with another COG. The next COG meeting will be held next week in McKees Rocks.

There were no questions or comments.

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

Ms. Barry added she spoke to the regulars for the pickleball and came up with a solution of roll down lines. This is like a tape that is portable and will not stick as much so it will not ruin our warranty on the floor and will work for them. The cost is \$384 per court and we normally do two (2) courts in the gym.

Commissioner Williams-Zabicki stated this sounds much more reasonable than some of the other options. Have we purchased this yet and have the pickleball players seen this yet?

Ms. Barry stated we are going to order one set to make sure it works and if it does, we will order the second set.

Commissioner Macino thanked Ms. Barry for following through on this.

Commissioner Chiurazzi questioned if we are doing okay with memberships and activities.

Ms. Barry stated things are normal and stayed the same.

There were no other questions or comments.

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

Mr. Caun added the following:

1. Planning Commission meets next Thursday, February 21, 2019. They will be going over a minor subdivision of the Nevillewood wellness/fitness center.

Reviewing the Carpenters Union final land development. Sheetz final land development will also be reviewed.

2. Zoning Hearing Board meets Tuesday, February 19, 2019 to review and landscaping/storage yard request.
3. We are transitioning from the 2009 codes to the 2015 codes. Bob and Sean belong to a membership called PENNBOC (Pennsylvania Building Officials Conference). This is building officials throughout the State. We are hosting the international residential code update on February 21, 2019 starting at 8:00 a.m. at the community center. It is open to all members. Our region goes all the way from the West Virginia Line to Erie. We have invited several local contractors, architects, engineers and anyone who deals with the building codes and wants to know what the updates are. There are a lot of updates because we skipped the 2012 code and have gone right to the 2015 codes. This is a nice event for Collier to host.

Commissioner Williams-Zabicki questioned if there have been a lot of rsvp's.

Mr. Caun stated that PENNBOC handles all that and was not sure of the attendance.

There were no other questions or comments.

- IV. Public Safety – Fire Department Report:** A written report was submitted for the month of January and would be happy to answer any questions the Board may have.

Chief Dave Brown of Rennerdale VFD was in attendance to answer any questions.

Commissioner Ruffennach stated he was invited to the Fireman's COG meeting in Crafton last week. Those guys are doing some good things like training and grants. In thirty (30) minutes they went over more information than three (3) hours' worth at a regular COG meeting. There are a lot of fire departments that have joined this.

Chief Brown stated that on February 23, 2019 we will be having a joint Fire COG training at South Fayette High School. Rennerdale sends the Line Officers. The three (3) Collier companies jointly bought a training package of \$1200 through Bucks County and with this, all three (3) fire companies will do joint trainings together this year. We formed a committee and after fish fries end this year, we will start the trainings together. This is all State certified and we will all get certifications for these classes. We will go over strip mall fires, basic vehicle rescue and some other suppression classes and carbon monoxide classes. We got a package with over 200 hours State accredited training for all three (3) fire departments. It is getting hard to send people to the Allegheny County Fire Academy or the Washington County Fire Academy. It is a big commitment and we want to try and keep the trainings local, inhouse and bring the instructor to us.

Commissioner Williams-Zabicki stated we recently passed a new ordinance making sure there are easements available and when the fire occurred on Carnoustie that very cold week, the fire trucks blocked the entrance of Carnoustie. She lives at the end of Carnoustie and if she would have had an emergency and if there were not that easement, she would not have been able to get out of my street. Luckily there was the easement, it was used, and it really re-enforced how that is and feels the Board made a good decision on passing the ordinance.

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

Chief Campbell thanked the Manager and the Board for their support and acting so quickly to fill a vacancy in the department. We really need it and is greatly appreciated. Officer Spencer is an experienced local Officer so we can put him to work quick and can count on him more than someone right out of the academy.

Commissioner Ruffennach questioned if the cars are all good.

Chief Campbell stated yes.

Commissioner Chiurazzi questioned if everything is good with the schools and the high School safety wise.

Chief Campbell stated yes. We had a threat there the other day and it could not have worked out any better. All the agencies came together, worked phenomenally fast to get it done and worked well together. It was a positive thing. We are still investigating this. It is very difficult when internet apps to make calls. The good thing is our protocols we had in place, worked. We had it over and done with in three (3) hours. There were 10 different police agencies there that got everything done and coordinated.

Commissioner Macino stated he heard about this new thing the kids are in now, this two (2) day hide and seek thing and wait till they show up. Has the Chief heard about this?

Chief Campbell stated just the same thing that is put on the internet. We haven't had any Local reports on this. The internet allows people to put an idea out there and people pick up on it. Kids will be kids and is happy the internet was not around when he was a kid.

There were no other questions or comments.

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

Commissioner Ruffennach questioned how the trucks are doing and the salt.

Mr. Palmosina stated all is good.

Commissioner Ruffennach stated the guys are doing a great job.

Mr. Palmosina stated there are a lot of pot holes out there which are on the State and County roads. He has been in contact with them. He has asked the State to do Forsythe tomorrow and if they cannot get to it, we will do it because it is bad.

Commissioner Chiurazzi questioned if we do this do, we get paid by the State.

Mr. Palmosina stated no.

Commissioner Chiurazzi stated there is a huge pot hole on Hilltop Road at Dorrington Road and if we fix it, we don't get paid.

Mr. Palmosina stated it is a give and take situation. They help us sometimes too if they are out and about and he asks them. He can ask them for a load of cold patch for us patching their roads.

Mr. Thauvette stated their guys are as unionized as our guys are and we must be very careful on how we do this.

Mrs. Cupples-Wisnoiski questioned if they saw the pothole on McMichael and Baldwin that is huge.

Mr. Palmosina stated that one was utility work there.

Commissioner Chiurazzi questioned do we make a decision as a Board to say our guys can go ahead and patch those holes that are not on our roads.

Commissioner Williams-Zabicki asked for an estimate on what this will cost first.

Mr. Palmosina stated it will probably be a couple hundred dollars.

Commissioner Macino stated it must be safety first so when the guys are out and see it is a safety issue, then patch the hole.

Commissioner Durisko questioned if there was a reason for the power outage today.

Mr. Caun stated it was trees down.

There were no other questions for comments.

*Motion was made by Commissioner Williams-Zabicki, 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:

Commissioner Macino stated we have a special guest in the audience tonight.

Commissioner Chiurazzi introduced his father whose birthday is tomorrow and his brother who is from LA.

Everyone wished him a Happy Birthday!!!

**Mrs. Sue Keefer** of 755 Marigold Court Bridgeville approached the Board questioning if the agreement to rectify the problem with the hillside behind Marigold Court has been addressed. Is there any movement on the agreement and has it been submitted and where do we stand? The hillside is rolling. Pictures were sent to Mr. Thauvette. The hillside is getting very bad and we want to know where we stand.

Mr. Thauvette stated we have not filed anything on the agreement yet. There are still some outstanding items not completed on that agreement. Our Attorney and Engineer are up to date on where we stand on those items.

Mr. Brett stated they did an updated letter on January 22, 2019. They have re-submitted a stormwater plan back in October. We have spoken to the developer several times and asked for a meeting with their engineer because there are some very simple plan revisions they need to do and back it up with calculations because the plans do not match what the calculations are. They have indicated a couple of times to meet and this hasn't happened. We ran into the developer in the plan a couple of weeks ago and asked to sit down with him for about a half an hour to address the comments on the drainage swell. The developer said he would contact us and hasn't. Mr. Thauvette has tried a couple of times trying to make the meeting happen. We are available to meet whenever they are and we feel this will help resolve this.

Commissioner Chiurazzi stated we are meeting with him.

Mrs. Keefer stated November 15, 2018 was the deadline. He is to be fined every day past November 15<sup>th</sup>. Is he being fined? Is the Township able to collect?

Commissioner Durisko deferred those questions to the Solicitor, Chuck Means.

Solicitor Means stated whatever the direction is the Board wants us to do whether to negotiate or file in Court we are ready to do that. When we have a contract that is not being lived up to you either settle it or work it out and get it lived up to and if not, you file it in Court and ask the Court to issue orders or penalties or injunctions to cause it to be carried out. That are the two (2) options.

Commissioner Durisko questioned if there is a certain monetary figure that must be met or before it is exceeded.



Solicitor Means stated no.

Commissioner Chiurazzi stated we are going to meet with the Developer. The Solicitor is not for free. When we must pursue a legal action, it costs the tax payers thousand and thousands of dollars even more than any fine. We are going to meet with the Developer and if he doesn't comply, we will come to the Board with the results of that meeting and get this taken care of.

Mrs. Keefer stated this has been an on-going issue and are just wondering, where are we? We are the tax payers and we are paying and we are getting nothing for it.

Commissioner Chiurazzi stated we are trying to do what we can as a Township.

Mrs. Keefer thanked the Board.

Commissioner Williams-Zabicki questioned the property that is folding down on itself. If it causes damage to those homes, is it the Developers responsibility? Is he liable?

Solicitor Means stated that is not Township property and the Township is not responsible. It would be a matter between the property owner and the developer.

Commissioner Williams-Zabicki stated it would behoove him, the developer, to remedy that situation sooner rather than later so it doesn't cause greater damage.

Solicitor stated it thinks it would.

Mrs. Keefer stated any future development he may have with the Township, she thinks this would be a factor in how he handles one issue as to whether he is able to have another.

Commissioner Williams-Zabicki stated we are taking that into consideration with all our developers in managing stormwater better, so we don't have these problems.

Commissioner Macino stated we will try to keep everyone updated. It is a rather sticky legal issue and the public needs to understand that when we have these kinds of issues, we can't just give away everything that we are trying to do. We are working hard to get resolution and that is the goal.

Mrs. Keefer stated when we don't here anything for quite some time, we think it is gone.

Commissioner Williams-Zabicki stated to re-assure you, this takes up a good portion of a lot of our time outside of being here. There are multiple angles and multiple paths that a lot of us are really trying to work with the developer. Trying

to get a better understanding. Trying to bring everyone to a consensus to get it resolved plus taking the legal action officially. This consumes a lot of our energy and attention because we also want to see it resolved. We do not want you to think we are not doing anything.

Mr. Frank Noble questioned if anyone has investigated how you got yourselves into this issue. Was the hillside properly designed in the first place and signed off on? Instead of chasing your tails, someone should look ahead of it and look to the root of the problem. Then you have be able to resolve any future incidences. Just giving you a little heads up that someone should circle back around and see who signed off on this hillside, was it up to code and did everything meet. You may have a better understanding going forward instead of chasing your tails. Find out where the problem started. Just a hint so you are not chasing the problem. Go to the root and see where that gets you.

Commissioner Macino thanked Mrs. Keefer and Mr. Noble.

### **VIII. NEW BUSINESS:**

1. Consider action on the application of The Club at Nevillewood for Preliminary Land Development approval with the condition that all items in the Township Engineers review letter dated January 7, 2019 are addressed to the satisfaction of the Township Engineer and the Township Solicitor. The Planning Commission has reviewed and recommends Preliminary approval. The applicant has requested the following waivers:
  - a. A waiver of Grading Ordinance Section 109.E.11, 109.G and 9-131, requiring submission of the Erosion & Sedimentation Control Plan to Allegheny County Conservation District.
  - b. A waiver of Section 604.1.J.6 of The Subdivision & Land Development Ordinance requiring a complete survey of the entire parcel is hereby granted. A survey of pertinent areas surrounding the clubhouse and future wellness center has been provided. These waivers are applicable only to the Land Development application and do not apply to other permits and/or approvals.

Commissioner Macino asked Mr. Caun to give a summary of the motion.

Mr. Caun stated the preliminary land development is pretty straight forward and you have two (2) waiver requests. The first waiver Mr. Brett will speak on. The second one concerning the survey is a large parcel. The areas around the clubhouse have been surveyed and those areas are what we really need to see in order to make a determination on the building location. That has been adequately provided. The other remaining section of that parcel goes down to the 18<sup>th</sup> fairway. They have a preliminary drawing and it matches the County drawing. Mr. Caun doesn't think we need a complete entire survey of the parcel and feels what has been submitted is adequate.

Mr. Brett stated the E & S waiver is similar to the last building. It is as requirement for the County to review it. This is a relatively small addition therefore they do not have to do the requirement. We do support this waiver. Mr. Brett also agreed with Mr. Caun on the property survey.

Commissioner Macino questioned if Mr. Brett's official position is that we support both those waivers.

Mr. Brett stated we support both waivers.

Commissioner Macino questioned if Solicitor Means was in agreement with both waivers.

Solicitor Means stated yes.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Durisko, to approve The Club at Nevillewood for Preliminary Land Development with the conditions and waivers as stated above. By unanimous vote the motion carried.*

2. Consider action on Resolution #021319-01, A Resolution approving a revision to the Official Sewage Facilities Plan to include "The Club at Nevillewood Wellness Center and Golf Operations Center".

Mr. Brett stated the Board will see this on every development now due to the Allegheny County Consent Order. There is a requirement for there to be a planning module with every development.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach, to approve Resolution 021319-01 as stated above. By unanimous vote the motion carried.*

3. Consider action on Resolution #021319-02, A Resolution approving a revision to the Official Sewage Facilities Plan to include "Sheetz", located at 1297 Washington Pike.

Mr. Brett stated the Board will see this on every development now due to the Allegheny County Consent Order. There is a requirement for there to be a planning module with every development.

*Motion was made by Commissioner Ruffennach, seconded by Commissioner Durisko, to approve Resolution 021319-02 as stated above. By unanimous vote the motion carried.*

4. Consider action on bond reduction request #3 from Maronda Homes for Amalfi Ridge Phase One. The Township Engineer has reviewed the request and recommends the Township reduce the bond amount from \$353,509.49 to \$255,420.74, which is 110% of the total cost for the remaining improvements plus 10% of the completed improvements.

Mr. Brett stated everything is not completed and we recommend that we hold the retention until all the bonded items are completed so there is 10% sitting there so if we go out a number of years and it just can't get done, we will have enough money there that will mean something to the developer to get it finished.

*Motion was made by Commissioner Durisko, seconded by Commissioner Williams-Zabicki, to approve bond reduction request #3 from Maronda Homes for Amalfi Ridge Phase One as stated above. By unanimous vote the motion carried.*

**IX. ACCOUNT TRANSFERS:**

1. Approval of the transfer of \$160,000.00 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.*

**X. APPROVAL OF GENERAL FUND OPERATING ACCOUNT ITEMS:**

1. Invoices paid and checks written from January 10, 2019 to February 12, 2019 in the amount of \$519,155.24.
2. Bills requested for payment for February 13, 2019 in the amount of \$323,922.58.

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

**XI. APPROVAL OF CAPITAL INVESTMENT ACCOUNT ITEMS:**

1. Invoices paid and checks written from January 10, 2019 to February 12, 2019 in the amount of \$46.00.
2. Bills requested for payment for February 13, 2019 in the amount of \$156,330.08.

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

**XII. ADJOURN:**

*Motion was made by Commissioner Durisko, seconded by Commissioner Williams-Zabicki to adjourn the meeting at 7:50 p.m. By unanimous vote the motion carried.*

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George E. Macino – President  
Board of Commissioners

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Valerie A. Salla  
Township Secretary