

**MINUTES  
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

**REGULAR MEETING**

**February 24, 2020**

**7:00 P.M.**

**I. CALL TO ORDER:** President Williams-Zabicki called the meeting of the Board of Commissioners to order at 7:05 P.M.

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL:**

**BOARD**

Dan Styche – Present  
Debra Zymroz – Absent  
Rick Ruffennach – Present  
Wayne Chiurazzi, Esq. – Present  
Dawn Williams-Zabicki – Present

**STAFF**

Chuck Means, 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 – Absent  
Rochelle Barry, Parks Director – Absent  
Kyle Thauvette, Twp. Manager - Present  
Valerie Salla, Twp. Secretary – Present

**C. EXECUTIVE SESSION** – Was held prior to the meeting to discuss legal and employment matters.

**D. PROCLAMATION** – Tim Eckenrode.

A proclamation was read by Commissioner Williams-Zabicki and gave to Mr. Eckenrode for his completed years of Community Service on the Parks and Recreation Board.

**II. APPROVAL OF MINUTES:**

- A. January 6, 2020 – Board of Commissioners Re-Organization Meeting
- B. January 13, 2020 – Board of Commissioners Workshop Meeting
- C. January 27, 2020 – Board of Commissioners Regular Meeting

*Motion was made by Commissioner Styche, 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 may have.

Ms. Jamie Doherty of Solicitor Mean's Office updated the Board on the Court case with Woodville Associates. We presented a motion on the judgement for proceedings asking the Court to end the case early. The Court declined to do this and the case is moving forward with our claims intact. We were contacted by Mr. Cargnoni's lawyer to arrange a meeting to discussion resolution of the items. This is in the process of being scheduled.

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 added the following:

1. We received a letter from the Township's Geotechnical Engineer (Joe Boward) who reviewed the Marigold Court slides. The letter indicated the affected properties should get their own independent geotechnical engineer and review the situation of the slides. There are multiple properties involved as well as the developers up hill side of the property. The hill does need stabilized because it is moving towards the homes. The residents affected will be getting a copy of this letter mailed to them tomorrow from the Township.

Commissioner Williams-Zabicki thanked Mr. Brett for the information.

There were no other 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. Ordinance of Dogs in Parks. There have been some issues with dogs on and off leashes in the Parks. Since we now have a dog park and a trail that allows dogs, we are going to prohibit dogs in Collier Park, Presto Park, Skvarca Park, Kelly Park and Webb Park. Hilltop Park will allow leashed dogs. This Ordinance is on the agenda to advertise only.
2. There is a Resolution on the agenda for approval to update the Township's internet and computer policy as well as social media use.
3. Moving forward with the Veteran's Banner Program. A printer will design the memorial for the banner. The banner will be a cost to the resident and not the Township. The Township will install the banners during the summer months and will be taken down in the winter months. There will be more information to come.

Commissioner Chiurazzi asked for an update on the truth in advertising ordinance.

Mr. Thauvette stated this will be next month.

Commissioner Williams-Zabicki suggested having a marketing pamphlet that the planning department give out to businesses coming in. The businesses must say they are in Collier Township.

There were no questions or comments.

- D. Building/Codes:** Mr. Plietz 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. Plietz added the following:

1. We are being proactive in putting together some key points for upcoming weather as far as swimming pools, decks, etc. The information will be put on the website and in the newsletter. We will point out some of the code violations that we find.

Commissioner Williams-Zabicki liked this idea and questioned if the newsletter will be digital or mailed out to the homeowners.

Mr. Plietz stated some will be eblasted out to our list of emails that we have, some is being put together for the newsletter with the Manager, Kyle and then on the website.

There were no other questions or comments.

- E. COG Report:** Commissioner Ruffennach reported he did not attend the meeting and will get in touch with the COG Office for an update.

Commissioner Ruffennach and Mr. Thauvette have been working on the comparisons between the SHACOG and the COG.

Commissioner Ruffennach will update the Board at the next upcoming meeting.

There were no other 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.

Mr. Hinds added the audit of the Township pension plans are still in the process and should be completed tomorrow. The three (3) years covered are 2016, 2017 and 2018.

Commissioner Williams-Zabicki questioned if there has been any feedback yet.

Mr. Hinds stated no and doesn't expect any findings.

There were no 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 January prior to the meeting.

There were no questions or comments.

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

Mr. Caun added the following:

1. The Planning Commission met on February 20<sup>th</sup> to tighten up the modification requests for Chase Bank. This is on the agenda this evening and the applicant is here.
2. The Planning Commission will meet again on March 19<sup>th</sup> for a proposed planned residential development on Ridge Road of 111 townhomes. This area was recently rezoned to allow PRD's on smaller acreages.
3. The Zoning Hearing Board will meet on March 17<sup>th</sup> for a special exception for a day care at Settlers Cabin Business Park.

There were no questions or comments.

**I. Public Safety – Fire Department Report:** No one was in attendance from the fire departments.

Commissioner Ruffennach stated Rennerdale did submit a report dated February 18 and they had 21 calls from that point. He let everyone know that Presto VFD will be starting the fish fries on March 6<sup>th</sup>. Rennerdale VFD is not doing fish fries this year.

Commissioner Ruffennach stated he was approached from the Collier Police Officers who are very pleased with the very quick response times of Collier EMS.

There were no other questions or comments.

**J. 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.

There were no other questions or comments.

**K. Public Works Report:** Mr. Palmosina was absent and had submitted a written report to the Board for the month of January prior to the meeting.

Commissioner Ruffennach stated the Public Works Department have been getting a lot of housework done cleaning garages.

Commissioner Williams-Zabicki stated they have also helped remove the dangerous playground equipment at Presto Park. The Community will be pooled to see what they would like.

Chief Campbell stated the Public Works Department did a great good cleaning up the garages.

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

#### **IV. PUBLIC COMMENT / COMMENT ON NEW BUSINESS:**

**John King** of 1 Summer Drive approached the Board asking for the status of Sheetz building.

Mr. Caun stated Sheetz has a grading permit. They have graded their pad and have their infrastructure in. Sheetz is waiting on PennDot to do the traffic improvements, road widening and traffic signaling. Sheetz does not want to start construction until PennDot is at least started. The Township is hoping that mid-April or the beginning of May, Sheetz can start construction on their building.

**Frank Nogal** of 500 Azalea Lane approached the Board to thank them for filing the lawsuit against the developer. It did not go the way it was supposed to but would appreciate updates throughout the meetings and updates throughout the years. Hopefully we can get this cleaned up for the homeowners regarding the hillside and get it resolved.

Commissioner Williams-Zabicki stated the Board will provide updates.

#### **V. NEW BUSINESS:**

1. Consider action to advertise Ordinance 712; An Ordinance amending the Collier Township Code of Ordinances, Chapter 16, Section 103, to regulate the presence of dogs in Township parks and prohibiting dogs in certain parks.

Solicitor Means stated there is a section that will need updated to state a service dog or support animal will be allowed in the parks. He advised Ms. Salla to hold off advertising this Ordinance until he gave her the updated version of the Ordinance.

Commissioner Styche stated to look at the Human Relations Ordinance and use the exact wording for service and support animals.

Commissioner Williams-Zabicki stated this will be updated before it is advertised.

Commissioner Chiurazzi questioned how this will be enforced.

Mr. Thauvette stated the Police.

Commissioner Ruffennach stated if the Police are riding by and see a violation.

Mr. Thauvette stated currently in Collier Park there are no dogs allowed signs and people have been asked not to walk their dogs and they say they can not be made to leave the park. This Ordinance gives us the ability to call the Police. The Police can enforce the ordinance.

*Motion was made by Commissioner Styche with the change, seconded by Commissioner Ruffennach, to approve advertising Ordinance 712 as stated above. By a 3 to 1 vote the motion carried. Commissioner Chiurazzi voted no.*

2. Consider action on the application for Preliminary Land Development of Chase Bank. The applicant is requesting a modification from Zoning Ordinance Section 27-2102.7 Maximum Light Intensity on the ground, to allow for light intensity from installed lighting to be more than the required 5 foot-candles maximum, a modification from the Subdivision/Land Development Ordinance Section 22-804 requiring sidewalks along the roadways and a modification from the Subdivision/Land Development Ordinance Section 22-807.1 requiring shade trees along the frontage of Route 50. The Planning Commission has reviewed and recommends preliminary land development approval with the conditions noted in the Township Engineers review letter dated January 10, 2020.
  - a. Motion to grant preliminary approval conditioned on satisfactorily addressing all items listed in the Township Engineers letter dated January 10, 2020.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Styche, for preliminary approval as stated above in letter a. By unanimous vote the motion carried.*

- b. Motion to grant a modification from Zoning Ordinance Section 27-2102.7 Maximum Light Intensity on the ground, to allow for light intensity from installed lighting to be more than the required 5-foot candles maximum in the vicinity of the ATM, the vestibule and the drive thru. The Planning Commission has reviewed and recommends approval of this request.

*Motion was made by Commissioner Styche, seconded by Commissioner Ruffennach, to grant the lighting modification as stated above in letter a. By unanimous vote the motion carried.*

- c. Motion to deny the request for waiver from the Subdivision/Land Development Ordinance Section 22-804 requiring sidewalks along the roadways. The Planning Commission has reviewed and recommends denial of this request.

Mr. Caun explained the request was to eliminate the sidewalks. The Planning Commission said they wanted the sidewalks and Chase Bank said they would put the sidewalks in. We should deny the request.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Styche, to deny the sidewalk waiver request as stated above in letter a. By unanimous vote the motion carried.*

- d. Motion to grant a modification from the Subdivision/Land Development Ordinance Section 22-807.1 requiring one shade tree in the front yard for each 50-feet of lot frontage along all public rights-of-way. The applicant proposes to plant two (2) trees along Route 50 at the OfficeMax location and plant a row of bushes/shrubs, equal in amount and type as the bushes/shrubs in front of Chase Bank as shown on the Landscaping Plan, to be placed along Route 50 in the planting strip between Firestone and Office Max.

Mr. Caun reviewed and described the location of these items on a map to the Board of Commissioners.

Ms. Erin Gogolin of Bohler Engineering for Chase Bank was in attendance. Chase Bank is proposing a 3,000 sq. ft. building with a remote drive up ATM. The modification on the lighting is due to safety. The Bank is concerned with lower lighting levels. The sidewalk and landscaping were added.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach, to grant the modification of trees as stated above. By unanimous vote the motion carried.*

3. Consider action to set a public hearing date of Monday March 23, 2020 at 6:00 pm for the proposed application for tentative approval of a Planned Residential Development from Legacy Homes. The applicant proposes to construct a PRD consisting of 111 Townhomes on Ridge Road.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Styche, to set a public hearing stated above. By unanimous vote the motion carried.*

4. Consider action on Resolution 022420-01; A Resolution amending the Collier Township Employee Handbook and the Computer and Internet Usage Policy.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Williams-Zabicki, to approve Resolution 022420-01 as stated above. By unanimous vote the motion carried.*

**VI. ACCOUNT TRANSFER(S)**

1. Approval of the transfer of \$23,000.00 from the General Fund Account to the Capital Fund Checking Account.

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

2. Invoices paid and checks written from February 11, 2020 to February 23, 2020 in the amount of \$140,010.74.

3. Bills requested for payment for February 24, 2020 in the amount of \$107,286.71.

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

4. Bills requested for payment for February 24, 2020 in the amount of \$22,210.24.

*Motion was made by Commissioner Styche, seconded by Commissioner Ruffennach , to approve Account Transfer(s); General Fund Operating Account items; and Capital Investment Account items as stated above. By unanimous vote the motion carried.*

**IX. ADJOURN**

*Motion was made by Commissioner Ruffennach, seconded by Commissioner Styche to adjourn the meeting at 7:45p.m. By unanimous vote the motion carried.*

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Dawn Williams-Zabicki – President  
Board of Commissioners

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Valerie A. Salla  
Township Secretary