

**MINUTES
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

WORKSHOP VIRTUAL MEETING

March 8, 2021

7:00 P.M.

- I. CALL TO ORDER:** Commissioner Chiurazzi called the workshop meeting of the Board of Commissioners to order at 7:00 P.M. This was a virtual meeting due to the COVID-19 regulations.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

BOARD

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

STAFF

Chuck Means, Solicitor – Absent
Kevin Brett, Engineer – Absent
Craig Campbell, Police Chief – Absent
Bob Caun, Planning Director – Absent
Jeff Hinds, Finance Director – Absent
Tom Plietz – Bldg/Fire Codes – Absent
Bob Palmosina, PW 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 personnel issues.

II. Board Discussion for Committees

A. Administrative/Public Affairs

Commissioner Zymroz reported the following:

1. *Glass Recycling.* We are still looking into a glass recycling program. It may be in March or June. Both residents and Non-residents can participate. The dates and times are to be determined and are different from what was reported at the last meeting.
2. *Road Closing.* Thoms Run Road at Forsythe Road will be closed for underground bridge repairs starting March 15 till May 31, 2021. If you are traveling down Forsythe Road from Nevillewood, at the red light, you will not be able to make a right turn onto Thoms Run Road. To get to the Post Office, you will have to go around to other side of Thoms Run Road or take Boyds Run Road to Thoms Run Road.
3. *Bridge Closed.* The Nike Site Road bridge will be closed for repairs by PennDOT beginning in April. The start date is to be determined.
4. *Manager's Coffee Hour.* Will be held on April 5th, 2021 at 9:30a.m. at the Community Center. Space is limited due to CDC guidelines and you must pre-register on the Township website.

B. Building/Codes

Commissioner Cupples reported the following:

1. *Planning Commission*. Met on March 4, 2021 to discuss the School use Ordinance. On March 18th, Chick fil A proposed land development will be discussed. This will be located in the Chartiers Valley Shopping Center at the old Taco bell location.
2. *Zoning Hearing Board*. On March 16th, 2021, the Zoning Hearing Board will hear a variance request for a front porch encroachment at 7 Highlandview Drive. The front porch will encroach 13ft into the required setback. There will also be a request heard for a home-based business for a Taxidermy at 10 Saint Johns Drive. Chick Fil A is also requesting several variances including parking spaces, side yards, driveway, canopy and signage.

Commissioner Chiurazzi questioned when demolition of the old Taco bell building will take place.

Mr. Thauvette stated we have not received any permits yet. They still have to get land development and variance approvals before they will be ready to build.

There were no other questions or comments.

C. COG

Commissioner Ruffennach has no report.

D. Finance

Commissioner Styche reported the following:

1. *Audit 2020*. The Audit is underway and should be completed by July.
2. *2020 Road Program Project*. This was recently paid but not out of the 2021 budget, it was paid out of the 2020 that carried over.

There were no questions or comments.

E. Parks & Recreation

Commissioner Styche reported the following:

1. *New Parks Director*. Was hired and has been here for a week. Things are going well. Commissioners Styche and Zymroz will be meeting with the new Director on Thursday to see how things are going.
2. *Grants for the Parks*. Commissioner Styche asked Mr. Thauvette for an update on the grants.

Mr. Thauvette stated there has been no change and will take awhile longer to here back from any grants that we applied for. The DCNR Grant that was awarded to us is getting finalized.

3. *Webb Park Pickle Ball*. Mr. Thauvette was in contact with the contractor that will be doing the work. The contractor is looking at his schedule and trying to be a member of Co-Stars and will let us know of a date.

F. Planning and Land Use Development

Commissioner Cupples had no report.

G. Public Safety

Commissioner Ruffennach reported the following:

1. *Fire Department Meeting.* Commissioner Ruffennach will be meeting Tuesday to continue discussion with the three (3) fire departments about bylaws. All three (3) departments have worked hard completing the recommendations list from the fire study report.

H. Public Works

Commissioner Zymroz reported the following:

1. *Catch Basins.* Installed throughout the Township.
2. *Remodeling.* Being done downstairs.
3. *Salt.* They are stock piling salt in the salt bins.
4. *Pot Hole Patching.* Throughout the Township.
5. *Berms.* Cutting back the sides of the roads.

Commissioner Chiurazzi asked Mr. Thauvette to have the Public Works Department look at the curbs throughout the Township that may need repaired from the winter maintenance. There has been a lot of them torn up by the plows. What is the time frame for when asphalt would be able for use?

Commissioner Ruffennach stated it depends on when the asphalt plants start to open back up. It could be in April depending on the weather.

I. Sewer Department

Commissioner Styche reported the following:

1. *Billing.* As of March 1st, Jordan Tax Services has started collection of the sewage bills.
2. *Sewer Department Personnel.* A meeting was held to improve paperwork, procedures and fee structure for buyers and sellers during the closing process.

Mr. Thauvette stated we removed some of the redundancy that was happening prior to the Township taken over. Some of the third-party work and other out sources are now being done in house. Mr. Wilson Durisko will now be doing dye test and lateral inspections. Forms have been updated and condensed to be more understandable.

Commissioner Ruffennach questioned if there are any upcoming projects or sewer cleanings being done.

Mr. Thauvette stated the Engineers (Lennon, Smith, Souleret), are working on a clean up schedule for this year and hopes to start in March. We would like to get a year in before we start any new sewer projects.

There were no other questions or comments.

J. Township Manager / Township Business

Mr. Thauvette reported the following:

1. *Resolution 030821-01.* This Resolution is on the Agenda tonight for approval. It is for opposing tolling on the I79 bridge at the Bridgeville interchange. A concern of Collier Township is the increased traffic onto Route 50 at the Bridgeville/Collier border and the Kirwan Heights entrance/exit onto I79. The traffic is already bad on Route 50 in these areas. Another concern is people will avoid this area and find other places to shop and eat and affect this areas economy. This Resolution will be sent to the Secretary of the Department of Transportation and then sent to Governor Wolf.
2. *Route 50 Improvements.* On the Agenda is an action for Collier Township to formally enter into an agreement with Scott Township, Heidelberg Borough and Southwestern Pennsylvania Commission for the State Route 50 SINC-UP Project. This project is to sync up the traffic lights from Heidelberg to I79 entrance at Kirwan Heights.
3. *Items coming up for the March 22nd Meeting.*
 - Amalfi Ridge Plan Conservation Easement.
 - Sewer Line transfer agreement of the FAA sewer line for the Greist House to tap into.
4. *Pennsylvania Conservancy Sign.* Is located off I79 and Noblestown Road. They will be planting a garden this Spring and will be looking for volunteers to help. The Conservancy is also looking for sponsors.
5. *New LED lights.* Have been installed on the McMichael Road streetlights. This is part of the Duquesne Light retro fit street light program.
6. *Sewer Bills.* Jordan Tax Services will be mailing out the sewer bills on March 9, 2021.

Commissioner Styche questioned if the Township's facilities are in a program to change out the existing lighting to go to LED lights and are, we looking into putting up solar panels to help save costs on some of our buildings.

Mr. Thauvette stated we are not in a Duquesne Light retrofit program for the buildings however, when we have to replace a light, we replace it with LED bulbs. The Community Center, Public Works building and our parking lot lights are all LED lights. Solar panels are already on our Public Works building and we had our first net zero month meaning all the energy that we produced at our Public Works Building was covered by our solar panels. There has been no discussion on adding solar panels to any of the other buildings yet. Scalo is always looking for opportunities.

There were no other questions or comments.

III. Topics of Discussions:

- Public/Private School Use Ordinance

See Public Comments which were read out loud to the Board.

Mr. Thauvette stated school use has changed significantly over time and most schools usually have sporting events in the evenings and weekends. Schools add to the traffic and in light of these conditions, the Board of Commissioners feel that the B-1 Zoning District and other Districts as compared to the Residential Zoning District are more viable Districts for school use. The existing use in the B-1 District are more compatible with the use that schools have on surrounding properties. The Board of Commissioners will be holding a public hearing on the proposed zoning ordinance (which is not tonight). The Board looks forward to hearing public comment at that time. When a date is decided for the Public hearing, it will be advertised. Mr. Thauvette encouraged the public to forward any comments to the Township Office.

- Commissioners increase in pay.

Commissioner Chiurazzi informed the public that the Commissioners do receive a monthly pay for being a Commissioner. The Commissioners have never had a pay increase in over seven (7) years. Right now, the Commissioners receive \$208.33 a month and if there were a 3% increase given over the years, we would be at what we should be getting of around \$300.00 a month. The Commissioners do a lot of work and Commissioner Chiurazzi feels the board should discuss this.

Commissioner Styche questioned what the total is set by the State.

Mr. Thauvette stated the First-Class Township Code set by the State does set a limit based on the population as to what the Board can receive. Mr. Thauvette read the following from the First-Class Township Code Book. “ (702 amended Oct. 29, 2020, P.L.782, No.96)
Section 703. Compensation.--(a) Each township commissioner may receive a salary, established by ordinance, as follows:
(1) In townships with a population of less than 5,000, a maximum of \$3,145 per year.
(2) In townships with a population of 5,000 or more but less than 10,000, a maximum of \$4,190 per year.
(3) In townships with a population of 10,000 or more but less than 15,000, a maximum of \$5,450 per year.
(4) In townships with a population of 15,000 or more but less than 25,000, a maximum of \$6,915 per year.
(5) In townships with a population of 25,000 or more but less than 35,000, a maximum of \$7,335 per year.
(6) In townships with a population of 35,000 or more but less than 45,000, a maximum of \$8,385 per year.

(7) In townships with a population of 45,000 or more, a maximum of \$210 per year per 1,000 residents or fraction of 1,000.

The salaries shall be payable monthly or quarterly for the duties imposed by this act. Benefits provided to the commissioners under section 1502.39 shall not be considered pay, salary or compensation, but payment for all or a part of the premiums or charges for the benefits shall be in accordance with section 1502.39."

Mr. Thauvette stated Collier Township falls under number two (2). The set maximum amount is \$4,190 per year which is \$350.17 a month.

Commissioners, Styche and Zymroz stated they would not be opposed to that.

Commissioner Chiurazzi stated it is not the money but when there is money out there like this, we are responsible Township affairs and the maximum is \$350 and we are not asking for that. If the discussion is somewhere in the \$300 range, the public may understand and support.

Commissioners Cupples and Zymroz agreed.

Commissioner Zymroz stated this Board puts in a lot of hours.

Commissioner Chiurazzi stated it is a lot of hours and this Board puts in a lot of love and care into this community. It is not for the \$208 a month or \$300 a month but at the end of the day, it seems like the right time to do this and it has been a lot of years.

Commissioner Cupples stated that was correct because when she moved to Collier Township 10 years ago, it was \$2,500.00 a year. It is almost 11 years since she has been in Collier.

Commissioner Chiurazzi stated this Board is always fiscally responsible and this does not break any budget and this is in fairness to the future Commissioners.

Mr. Thauvette stated this is established by Ordinance and will need to be advertised. It sounds like the Commissioners are in the \$300 range and he will get an Ordinance together to have for the March 22nd meeting to be advertised.

IV. PUBLIC COMMENT ON NEW BUSINESS ITEMS:

From: Jonathan Peters
Sent: Monday, March 1, 2021 2:36 PM
To: Collier Public Meetings <collierpublic@colliertwp.net>
Subject: Question For Next Commissioner Meeting

To whom it may concern,

I would like to kindly request an update regarding the progress on finding a resolution to the water issues myself and others have been experiencing on Carnoustie Ct. My understanding was that the next step was to meet with the Nevillewood golf club and HOA, but I have not heard any outcome. Any information you could provide on this matter would be greatly appreciated!

Thank you,

-Jon Peters
6011 Carnoustie Ct.

From: Darren Mariano
Sent: Monday, March 1, 2021 5:38 PM
To: Collier Public Meetings <collierpublic@colliertwp.net>
Subject: Stormwater Flooding Update

Dear Commissioners-

In the Fall of 2019, a community member on Carnoustie Drive was flooded and showed a dramatic video during a public meeting of the water coming off their back hill into their basement. During a subsequent public meeting we heard that the township was helping fix the stormwater issue from Muirfield to Carnoustie and down stream. Having had problems for over 10 years living on Carnoustie Drive, the stormwater from Hilltop and adjacent properties needs remedied. My question pertains to the public receiving an update on remedying the stormwater problem that exists both on Hilltop road and Muirfield that is causing Carnoustie residents to be flooded or dangerous conditions to occur during these heavy down pours. Thank you for the update.

Take Care,

Darren Mariano
5011 Carnoustie Drive
Presto, PA 15142

From: Sarah Charlier
Sent: Saturday, March 6, 2021 3:40 AM
To: Collier Public Meetings <collierpublic@colliertwp.net>
Subject: 3/8/21 public comment

Sarah Charlier-Vermeire
257 Sunrise Dr
Collier Township, PA 15106

RE: Proposed Zoning Ordinance Amendment – Public/Private School

It is my understanding that you are meeting tonight to discuss the proposed change to the zones where a school, public or private, is allowed within Collier Township. It is no secret that this came about directly following the submission of a charter application from a small charter school looking to reside within the Chartiers Valley School District. I have reviewed the proposed changes, which includes removing school use from any area zoned as residential in Collier Township. What remains is Great Southern Shopping Center, a small strip of land that is already being developed up near Settlers Cabin Park, or Trader Jack's, right next to the asphalt plant. Any person of sound mind can see that these locations are not only illogical, they are not suitable to hold a school. Why then, would you choose to make such a change? You are clearly not thinking of children's best interests; if you were, you would be remiss not to admit that attending Kindergarten in a shopping center or next to an asphalt plant is not something any of us would want for our children. This proposed change is especially suspect given that all neighboring townships and boroughs permit school use within their respective R-1 and R-2 districts. Making this change would be unprecedented, and it would not serve to improve or benefit our community in any way.

This boils down to nothing more than a painfully obvious vendetta to stop the small charter school from opening its doors. This is, at its core, a gross abuse of power and government overreach, and the residents of Collier Township will not stand for this. I think too often that people in public service forget that your role is public service. Personal vendettas should have no place at the table.

From: Jeffrey Vermeire
Sent: Monday, March 8, 2021 5:00 PM
To: Collier Public Meetings <collierpublic@colliertwp.net>
Subject: Public Comment for Board of Commissioners Meeting 3/8/2021

Jeff Vermeire (VUHR-meyer)
257 Sunrise Dr
Collier Township, PA 15106

RE: Proposed Zoning Text Change Amendment for School Use

The mere consideration of removing school use from all residential districts in Collier Township is nothing more than a personal, political agenda and needs to stop. May I remind the Commissioners that they are elected to a position of public service. This zoning change is a public disservice. It is punitive in nature and a gross overreach of government power.

In what world does it make any sense to put a school in a busy shopping center, next to an asphalt plant, or in an area designated for industrial use?! In a world where elected officials forget their commitment to the community and serve only their own self-interests. For anyone not up-to-speed on what is happening, here's a breakdown:

- *On November 13, 2020, an application was submitted to Chartiers Valley School District to open a K-12 charter school called Dogwood Charter School. The application contained a letter of intent from a Collier landowner for the school to lease his property upon opening.*
- *On December 22, 2020, the Dogwood Charter School team gave a presentation to the Chartiers Valley School Board advocating for the school.*
- *On January 11, 2021, this very Board of Commissioners passed a resolution to consider removing school use (public or private) from all residential-zoned districts and add it to the B-1 shopping district (AKA Great Southern Shopping Center). There was no prior discussion about this zoning change. There was no discussion when the resolution came to a vote. Nothing. Just a simple vote.*

It's not difficult to connect the dots here. Especially when a next-door neighbor of one of the Commissioners spoke out about the proposed school at the Dec 22 school board meeting. It was especially concerning how that neighbor knew details of the application that were not publicly available yet.

It makes one wonder why someone would go to such great lengths to prevent a school, A SCHOOL, from opening in this community. I've heard a lot of talk about property values and taxes. So, is it that this board values money over the education and general welfare of children?

Or does it have more to do with the potential student demographic for the charter school being 17% children of color? Contrast that with less than 2% of Chartiers Valley students being children of color.

Regardless of the motives, the zoning change will fail against legal challenge. The Pennsylvania Municipalities Planning Code states that the purpose for zoning ordinances are "To promote, protect and facilitate any or all of the following: the public health, safety, morals, and the general welfare." Forcing kids to go to school in a busy shopping center isn't what I would call safe. Making the change for self-righteous ambition is immoral. And, in no way does zoning out a school promote general welfare.

This zoning amendment fails the definition of substantive due process.

- 1. There is NO valid public purpose for the change*
- 2. The impact of the change would be unduly harsh to the proposed school*

Additionally, this zoning amendment violates equal protection laws. Since it allows preschools to operate within churches, it gives preference to sectarian preschools over secular ones.

A member of the Collier Planning Commission even stated that this zoning amendment is inviting a legal challenge. Is it that important to keep some kids out of the community that you're willing to run up legal fees for the taxpayers of this township?

The continued pursuit of this zoning amendment by this Board of Commissioners is immoral and unethical. I ask that you end this process now. If you are unwilling to do what is right, here and now, then I have faith that the voters of this community will in November.

Thank you.

V. NEW BUSINESS:

1. Consider action on Resolution 030821-01; A Resolution of Collier Township, opposing the proposed tolling of Interstate 79 at the Bridgeville interchange.

A motion was made by Commissioner Ruffennach, seconded by Commissioner Styche to approve Resolution 030821-01 as stated above. By unanimous vote, the motion passed.

2. Consider action to formally enter into agreement with the Township of Scott and the Borough of Heidelberg and the Southwestern Pennsylvania Commission for the State Route 50 SINC-UP Project.

A motion was made by Commissioner Styche, seconded by Commissioner Ruffennach, to enter in the State Route 50 SINC-UP Project as stated above. By unanimous vote, the motion passed.

VI. Account Transfers:

- Approval of the transfer of \$68,000.00 from the General Fund Account to the Capital Fund Savings Account.

A motion was made by Commissioner Zymroz, seconded by Commissioner Cupples, to approve the transfers as stated above. By unanimous vote, the motion passed.

VII. Approval of General Fund Operating Account items:

- Invoices paid and checks written February 22, 2021 to March 7, 2021 in the amount of \$255,871.14.
- Bills requested for payment for March 8, 2021 in the amount of \$77,261.31.

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

VIII. Approval of Capital Investment Account items:

- Invoices paid and checks written from February 22, 2021 to March 7, 2021 in the amount of \$30.15.
- Bills requested for payment for March 8, 2021 in the amount of \$67,627.00.

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

IX. Approval of Sewer Account items:

- Invoices paid and checks written from February 22, 2021 to March 7, 2021 in the amount of \$16,338.93.

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

X. ADJOURNMENT:

Motion was made by Commissioner Styche ; seconded by Commissioner Zymroz; to adjourn the workshop meeting at 7:45 p.m. By unanimous vote of the Board the motion passed.

Wayne M. Chiurazzi, President
Board of Commissioners

Valerie A. Salla
Township Secretary