

**MINUTES
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

WORKSHOP MEETING

October 14, 2019

7:00 P.M.

- I. CALL TO ORDER:** Commissioner Macino called the workshop 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, Police Chief – Absent
Robert Caun, Planning Director – Present
Jeff Hinds, Finance Director – Absent
Bob Palmosina, PW Director – Absent
Rochelle Barry, Parks Director – Absent
Kyle Thauvette, Twp. Manager - Present
Valerie Salla, Twp. Secretary – Present

- C. EXECUTIVE SESSION:** Executive session was held prior to the meeting to discuss personnel and legal matters.

II. PUBLIC COMMENT ON NEW BUSINESS ITEMS:

Kevin McDade and Mike Adamski representing The Centennial Pointe Homeowners Association (HOA) approached the Board with the following:

1. Support for parking on the streets.
2. Building permits.

Mr. McDade stated the HOA is requesting support from the Township with their HOA Declaration. They have tried multiple times through permitting and zoning for enforcement of cars parking on the streets and poor building standards within the community. The HOA has a declaration which was supported by Collier Township and signed with Maronda Homes. We engage support and help with enforcement of Ordinances. Last month the Ordinance for parking was denied by the Township even

though some areas of the Township such as Nevillewood have been granted this support. They would like to know how Collier could help them enforce the zoning rules in their development.

Mr. Adamski stated the HOA has a rule for the community that everyone must submit an alteration request. We have a large Turkish family, a lot of them do not understand English, they have a couple of people that know to get building permits and HOA approval. They get the building permits and start building. We have no way to enforce anything upon them. As far as single family home building, we are not trying to be overburdened with people, we just want them to put their requests in, so they are official and everything is approved. We have no way to enforce anything and no fines that we do will stick. A lot of them do not pay dues. We have reached out to other communities and in Cranberry, the permit office works with the HOA's and they will not give out a permit without having an approval letter from the HOA. There is nothing that we almost don't approve but to be official, on the books and follow the rules of the HOA that was put in place by us is what we are trying to enforce. Without us having any justification of enforcing any kind of rules, our HOA is basically worthless and the community will fall apart at that point. Right now, as it is, our community doesn't have any sense of community and that is a bad start going all around. We have applied for a parking ordinance awhile back and were told it was put on hold because the Township was going to do a Township wide Ordinance and at one of the previous meetings it was voted down and we would still like to have a parking ordinance approved. We have a hard time in the mornings with buses getting around, there are children trying to get on and off buses. The cars parked on the street create a safety issue for the kids. In the wintertime, snowplows cannot get around and do their job properly and with a car parked on the street over night and leaves in the morning will leave a mound of snow in the street.

Commissioner Macino stated he didn't know if the Board can help with the enforcement of the HOA requirements. If someone comes in for a building permit and they meet the qualifications to get the permit, those permits are issued. It is his understanding that the HOA can overrule relative what you are doing and some of our HOA's have had that situation where someone has secured a building permit from the Township, but they were not permitted to build. He didn't know how to tell the HOA how to prevent people from building once they have a building permit.

Mr. Adamski stated the way the HOA's are structured, there is nothing the HOA can do. If he lived in Nevillewood right now and decided to put up a stupid looking barn, you cannot stop me....

Commissioner Chiurazzi stated that is not true.

Mr. Adamski stated that is true.

Commissioner Chiurazzi stated it is 100 percent not true.

Mr. Adamski stated if you read the agreements, the way they are done, there is no precedent in Pennsylvania that supports the HOA from....

Commissioner Chiurazzi stated that is not true. What the HOA has to do is get a Solicitor for the HOA and take the rules and access them and make fines....

Mr. Adamski stated you can fine people as much as you want and if the judge determines the fines are excessive, the judge will throw the fines out the window. We have several lawyers...

Commissioner Chiurazzi stated it is not true. If the HOA has several lawyers and you have someone breaching your HOA covenants that they agreed to abide by when they came in, you will be able to assess them fines and when they go to sell their place, they will not be able to do it without satisfying..... put liens on.....

Mr. Adamski stated liens, first off whenever you are buying a single-family home, they are not selling their home in a reasonable amount of time and that fine will set out there for 20 to 30 years before any lien could ever be taken upon.

Commissioner Chiurazzi stated no, that is not true. You could go to the Magistrate; you have a legitimate lien against them and sue them.

Mr. Adamski stated yes but there is a lot of cases that are getting thrown out for excessive fines. There is not a precedent in Pennsylvania. Pennsylvania was always afraid to have a legal base....

Commissioner Chiurazzi stated he will not argue with him and the Township does not get involved in the HOA rules. The Township has their own standards and if they meet them, we issue a permit.

Mr. Adamski stated this is where it causes a lot of the problems where a permit is issued and we have had to call several times for the Township to come out and look at it. The Township has told them several times they can not do this or can't do that and the bigger issue is they are crossing people's property lines and now that person has to pay all these court costs and go file against that person because they crossed over onto their property line and different things like that. It is more burdensome to the HOA and the individuals because all these court costs come into play to do anything. There are other communities like in Cranberry that before they approve a permit, have an approval letter from the HOA to get the permit. We are not doing anything but to protect our home values. So, if there is something there that will essentially hurt our home values, we are not going to want to approve something like that and that doesn't mean it will get passed by a building permit. This is a rural type of area and some of the building permits do not meet the code for what our suburban type of community would actually intel.

Commissioner Macino thanked them for coming up and stated there are HOA's near by that this situation has come up several times. He will ask the HOA if it is okay for them to contact this HOA to understand what they do and why it seems to work with them.

Mr. Adamski stated they have reached out to a couple, like Tuscany Ridge to find out what some of theirs are. The largest factor of our community is, we have these Turkish families.....

Commissioner Chiurazzi stated he must stop saying that. It was uncomfortable the first time you said that and saying it now doesn't help. Please it is not right. That is the wrong thing to say.

Mr. Adamski apologized.

Commissioner Macino stated he will ask the other HOA's that have had similar issues would be willing to talk with them.

Mr. Adamski stated that would be good.

Mr. McDade stated on follow up on the parking ordinance. Nevillewood has been granted this parking ordinance but other neighborhoods in the same area have not. It is only fair within the municipality to grant other neighborhoods the same police enforcement that they are requesting that Nevillewood has been approved.

Commissioner Chiurazzi stated if they want police enforcement like in Nevillewood, you will not get it. We have had this debate many times before relative to what they are going to do so it is not really enforced unless we really need to.

Mr. Adamski stated it is there though and would help us.

Commissioner Chiurazzi stated an abandoned car on the street that may be properly registered, we can now take action where we couldn't before and this is not the only community that has it.

Mr. Adamski stated there are a lot of streets.

Commissioner Chiurazzi suggested they get a petition together with all your neighbors. That has a lot of push with us. Maybe you will find out that they don't want it. The majority may not want it. This Board likes to see if it is something that is good. The Public Works came to the Board about parking on the streets over here because they were having a difficult time plowing. Come to us as a community. How many houses are in Centennial Pointe?

Mr. Adamski stated 211.

Mr. McDade questioned if Nevillewood came together when they got their Ordinance?

The Board could not recall.

Commissioner Macino stated parking ordinances are difficult to manage because we would get tons of phone calls that someone's car is parked. We do not have a large enough police force that they can go out and maintain parking restrictions.

Mr. McDade stated they understand that but a simple stamp of approval that there is a parking ordinance even if it is not enforced.

Commissioner Macino questioned if this can be done through the HOA?

Mr. McDade stated no and HOA's have no power.

Mr. Adamski stated they need an official ordinance by the Township to put any kind of signage up or anything like that.

Commissioner Chiurazzi stated that is not true within your HOA. Your management company will send letters out and will lien property and fines. He has been doing this for years. HOA's can have your own set of rules.

Mr. McDade stated it works in Cranberry because the Township backs their HOA's. There is an HOA forum on their website. They have all untied together, formed a forum and the Township has this on their website and they have their backing. Centennial Pointe and Tuscany Ridge will fall apart without Township support. We need the same support that Cranberry has. We need the same support from Collier that Cranberry provides for their forum. We have been in contact with Tuscany Ridge and are interested in forming a coalition with other neighborhoods within Collier but without Township support, we can't have the same type of environment that Cranberry has and he thinks this is what people want.

Commissioner Macino stated we need to start by getting you in touch with one other HOA he is familiar with and if they are interested in talking with you and help you understand what it is. He doesn't know if Collier township would take the responsibility on of HOA's.

Mr. Adamski stated we are just looking for the same thing that Cranberry has. If the Board looks at Cranberry, they have this down like a science.

Commissioner Chiurazzi stated a parking ordinance could be do able. Come to this Board with a petition and we will look at it. But you must understand that if the police get called all the time it would be brutal for them.

Commissioner Williams-Zabicki stated that is the problem. We have had this come before us before about having more ordinances to our property maintenance codes and the question was, why put more ordinances on the books if you can not enforce them. The reality is, if we add parking ordinances then the question goes back to the residents. Do we increase taxes so we can add more Officers to run around the Township and cite all these people for violating the parking ordinance? That is a taxpayer question.

Mr. Adamski questioned if the Township was getting money from the tickets.

Commissioner Williams-Zabicki stated if we as a community need to consider, do we want these on the book for paper only or do we want these on the books and actually enforce them, which means we have to raise taxes so we can enforce this. There are

parking issues on every street in this Township which means we might need a staff of five (5) more Officers and that is a lot of money. I understand the need and I support the need, but we must think long term. What does it mean to enforce the ordinances we are putting on the books? Are we prepared as taxpayers to have an increase in taxes to be doing all the parking fines?

Mr. Adamski questioned doesn't the Township gain tax revenue from the tickets?

Commissioner Macino stated that is a discussion another time, thanked them and reminded them to make sure we have their names and phone numbers so if the other HOA wants to get in touch with them they can.

Terry Bell of 793 Marigold Court approached the Board requested to have emails entered into the minutes that were sent to all the Board of Commissioners so the Marigold Court residents can see what is going on with the issues on Marigold Court. Mr. Bell have the copies to the Township Secretary, Valerie Salla.

Emails Mr. Bell provided are attached to the end of the minutes.

Mr. Bell then questioned the Valley Fill Permit and the condition of issuance on the permit. The condition is a Geotech Engineer from Construction Engineering Consultants is supposed to be on site to inspect all imported material to make sure that material conforms to conditions that are not hazardous. What has the Township done to make sure that condition is being met?

Commissioner Macino asked the Engineer, Mr. Brett and the Manager, Mr. Thauvette if they knew the number of times.

Mr. Brett stated this information does not come across his desk.

Mr. Thauvette stated the Township has requested several times for those inspection reports be given to the Township from the Developer and CEC. The Township is not doing those inspections ourselves. We do have the ability to enforce the inspections be done through the Ordinance.

Mr. Bell questioned if the Township has reports of how many times CEC has been there. Every time one of those trucks goes up the boulevard, there is supposed to be an engineer there.

Mr. Thauvette stated since the new permit he doesn't believe the Township has received any.

Mr. Bell questioned how about the old permit issued in 2013.

Mr. Thauvette couldn't say for sure and was under the impression there were inspection reports.

Mr. Bell stated it is not so much an inspection report, it is an audit of what is being done.

Mr. Thauvette stated he does not know.

Mr. Bell stated if no one knows, how are we going to solve this.

Commissioner Chiurazzi stated is CEC hired by Collier Township.

Mr. Bell stated no, they are Jack's.

Commissioner Chiurazzi stated if they were hired by Jack then why would we know and asked Mr. Thauvette to request a report.

Mr. Thauvette stated we have done this several times.

Mr. Bell stated if you can do this that is great. How many times there is a load, how many times has CEC been there to look at that load and make sure that load conforms. If the Township can do this, he would like to see it.

Mr. Thauvette stated he will request this information.

Mr. Bell stated he will wait to see this in two (2) weeks at the next meeting.

Mr. Garber stated he has made this right to know request numerous times and have always been told there are no reports.

Mr. Nogal stated, "do your job guys".

Mike Konkle of 780 Marigold Court approached the Board showing a copy of the Stormwater plan.

Commissioner Williams-Zabicki questioned what the date of the drawing is.

Mr. Konkle stated there is not a date.

Commissioner Williams-Zabicki questioned when he received it and do, we know how old it is because there have been several plans.

Mr. Konkle stated he received it today.

Mr. Brett stated the last one they received is September 6, 2019.

Mr. Konkle questioned the following:

1. There is 900ft of high velocity water coming down the hill into a spreader that is 150ft wide by 60ft wide with an entrance on one side and an exit on the same side as the entrance. This is unusual. You usually have an entrance for the water to go thru into a retention pond and then exits because it is supposed to retain some water. This 900ft of water will run right through this into the cul-de-sac.
2. On the location of this? There is supposed to be an entrance to Hilltop Park and there is a trail there now. There is not an entrance. There has been public money

- paid for that trail and there should be an entrance and/or exit around that existing retention pond which he didn't know if that was doing anything either.
3. He had a chance to work with Fred Homer of Gateway Engineers years ago and he was always the best practices guy. It wasn't the minimum code which he believes this drawing may meet minimum code but believes it is not the best practices for this project the way it sits.
 4. We still do not have roads in our development that are Collier Township roads and there is a punch list there. The only time they got any action is when we have said it is snowing, what if we need an ambulance up here, they called KDKA and we got snowplows. Is there any movement on issuance of any punch list items enough to be completed?

Commissioner Macino stated the roads will not be turned over to the Township until the work has been completed.

Mr. Konkle stated he has lived there seven (7) years and that is plenty of time for them to be completed.

Commissioner Macino stated the Township understands this and is in Court right now with the Developer trying to close some of this. The Township has maintained the roads in the winter for safety and perhaps the developer doesn't have any interest in doing it. The Township will make sure the roads are safe.

Mr. Konkle stated he has no money left on his bond.

Mr. Nogal questioned why that is.

Commissioner Macino stated it could be but didn't know for sure.

Commissioner Macino asked Mr. Brett to answer the questions about the retention pond.

Mr. Brett stated there is a correction on the drawing. It is July 2019 and we receive it September 6, 2019. We reviewed the drawing, commented on it and sent a letter to the Developer on September 17, 2019. Mr. Brett agreed with Mr. Konkle's comments. The letter stated there were no calculations submitted, there is no proof the level spreader worked. The Developer told them he would do what was correct before this last submittal which was to pipe it all that way to the bottom of the hill and discharge the water to a pond at the base of the hill like the rest of the development. The plans came in and it doesn't have it. It has the level spreader with some changes to it. The left side is a little better design than what it has been and getting closer to where it should be. There are some substantial comments left yet. With the as built, they finally got the drawings, so they are correct to what is in the field for the storm system. They did not update any of the calculations to match what they submitted on the drawing. We have not received the latest calculations to match what they say the size of the pipes are. For a long time, we had two (2) different as-builts. For three (3) years we told the developer the plans did not match and we finally got them to understand. We now have one

that matches but the calculations have not come in that prove that everything routes through the pipes okay.

Mr. Konkle questioned if a construction team was on site at the construction of the piping.

Mr. Brett stated back at the beginning there was but not by our firm. It was the previous engineer.

Mr. Konkle questioned if they have as-builts.

Mr. Brett stated they probably did have on with red line mark ups but the Developer by his agreement is responsible for giving us sealed as-builts from a surveyor which he now has done that matches what we see out there.

Mr. Konkle questioned if the as-builts meet the design criteria.

Mr. Brett stated that is what we are asking him to do, to prove the calculations work.

Mr. Konkle stated he though calculations were done prior to the as-builts.

Mr. Brett stated they were but when they did the as-builts, there were a few changes along the way especially done around the PennDot entrance way. He must show that those calculations still work.

Mr. Konkle questioned if anyone has been over to see the hillsides. They are not good and have been like that for six (6) years.

The Board stated yes.

Mr. Konkle stated something must be done. It is not right.

Mr. Brett stated as far as the dedication goes, that is where we are at right now.

Commissioner Macino questioned Mr. Garber if that answered his question of asking for these and were told they didn't exist.

Mr. Garber stated if they didn't exist, you can ask again.

Commissioner Macino stated we can ask again.

Mr. Garber questioned what happens if they don't exist.

Commissioner Macino stated he is not sure what that means.

Mrs. Rubin of Neville Park stated that especially on weekends, those trucks bring in fill up the hill every 15 minutes. Does that mean an inspector needs to be there?

An inspector would need to be there all day from 6:30 in the morning till sundown on Saturday and Sunday.

Commissioner Macino stated he didn't know who would do that. Is it someone from CEC that would do this?

Mr. Bell stated it is on the grading permit. There is supposed to be someone from CEC that inspects the load to make sure that it conforms to what the township says is acceptable and is non-hazardous. That is on the grading permit that the Township issued in 2013 and the Township renewed it in 2015. It is very clear and there is no question about it.

Commissioner Williams-Zabicki questioned Kyle to find out the definition of the words imported fill. She would like a clear definition of imported fill and what the expectation is on someone being there on a 24/7 basis when the material is being dumped. She wants to know the details.

Mr. Bell stated to look at the grading permit to get all the details.

Commissioner Chiurazzi stated so there are 50 trucks going up and down that hill in a 24-hour period .

The audience stated yes.

Commissioner Ruffennach questioned if it is mainly on weekends.

Mrs. Rubin stated it is more on weekends.

Commissioner Durisko stated he wondered if there is an inspector on site where the materials are coming from.

Commissioner Williams-Zabicki stated she would like those details.

Commissioner Macino stated we will get those answers.

Mr. Frank Nogal who lives on Azalea Drive questioned if there was a reason there wasn't a bond and is there anything the Board can look into and why are you still battling to get these roads turned over. Doesn't the Township have enough money in your own bonding system with this Developer. That should be a concern for each one of the Board members because he is just hearing residents now and the Board is all up for election at some point and the Board should be working for the people and for some reason someone in Collier Township released these bonds money back. He would like to find out by the next meeting who released them and an explanation of why they released them and that you don't have enough money to finish this project the way it should be finished. This is a fair question that he thinks someone could find out.

Mr. Brett stated this project was built in 2004, 2005 or 2006. The bonds where placed and the bonds were released down to a small portion. If you have come to

any meeting that is at least five (5) or six (6) Boards ago. No one on this Board was on the Board at that time. We were not the engineer. Kyle was not here and didn't know if anyone was here from the Township perspective. If you have come to any meeting with a Developer, you will hear nothing but complaints because we do not release the bonds.

Mr. Nogal stated he agreed.

Mr. Brett stated, we hold 10% of the entire contingency from the Developments. This Board gets complaints about us (the Engineers) because we do not release bonds because we know problems exist. This developments releases happened after the first roads were construction down to a very small amount. All the storm system was released. All the bonds were released down to a very small amount and we have been fighting now for 11 years. Other developments we don't have to fight with because we have a reasonable amount of bond money sitting there and this Board and some others have held the line.

Mr. Nogal questioned if it was unusual for that bond to be released and look back because you are responsible in paying the dues now because they released the bond money to the developer when they shouldn't have. Is this a possibility?

Commissioner Macino stated that was a good question but didn't know the answer to this and that is why the Township has taken the steps we have to try to get this resolved.

Commissioner Chiurazzi stated this has been very frustrating and this engineer will tell you that the previous Board, I voted to replace them because he was so disgusted that bonds were released and he would have regretted it because it wasn't their fault. They have been very good and responsive and he is here answering the tough questions. We do have the Developer sued and that is the Courts not the Township.

Commissioner Chiurazzi advised Mr. Thauvette to check on the issue with the trucks dumping on the weekends and CEC's responsibility. Commissioner Williams-Zabicki's points were excellent and let's find out where they do inspections and if they have failed us in doing this, this should be part of the Township's argument.

Mr. Konkle questioned what the recourse is if there are no inspection reports.

Mr. Brett stated to shut them down and have CEC come out and give a certification letter like they have in the past.

Mr. Konkle questioned if there were compaction reports in the past.

Mr. Brett stated there is.

Mr. Konkle stated if the bond issue is with previous Boards, this Board is up here and it is a thankless job but, the same Developer that got the bond money released

is now doing two (2) things that he is not doing. He is not filing compaction reports or dumping reports. He finally got as-built drawings. It behooves this Board, to look at what he is doing especially when he is dumping things and we don't know what is in there now. Nobody knows and someone should know what he is dumping. It is the same guy. That's his point.

Commissioner Macino stated we are going to try and find out.

Commissioner Williams-Zabicki stated everyone on this Board is frustrated and what makes it harder is, we are trying to go through the only process we have, the Courts. We are going through the Court process to try and get issues resolved. We are following the only process we have through Courts. It is slow and we don't like it either since we started this process last October. It has been a year. What makes it really difficult is that you residents assume that we are working against you when we are spending time trying to do what is right by you but then you come here and attack. She wishes we could work together and doesn't know how to bridge the gap but feels we would be more successful if we worked together instead of against each other.

Mr. Nogal stated we are not attacking you. We feel you have an engineer and have people in place and ordinances. Why do we have to bring to your attention that he is not following the compaction and dumping inspections. You should be saying at the meetings that we found out the developer is doing this and we haven't gotten this report or that report. It seems like every time; people are bringing stuff to the Board.....

Commissioner Williams-Zabicki stated she was not talking about the fill. She was talking about your neighborhood and getting that in the position where we can take over roads and the residents are not threatened by the hillside coming down. As a homeowner's association, wouldn't it make sense for the HOA to also file action against your Developer and join us in regard to the valley landfill. With regard to the valley landfill, the DEP did do an inspection in the spring. There were issues that were noted and she has not followed up on them since July because other things fell onto her priority list. She apologized for that not falling into their expectations. It is a matter of capacity and other things that come on the agenda.

Mr. Bell stated no one is attacking the Board. We have all seen and reviewed the proposal. He sees deficiencies here and didn't think it was a good proposal. They do not meet State requirements. Someone needs to look at this and what does he get, "we will take it under consideration". He understands the Board is busy but, they do not look at the hillside every day. They do. The Board should not look at this as an attack. As a resident, a voter, if he sees something that is wrong, he is going to stand up and say he doesn't think this is right. If the Board takes it as an attack, that is your problem not mine.

Commissioner Williams-Zabicki stated she doesn't take that as an attack, it is the tone.

Commissioner Chiurazzi stated this latest lawsuit has costs the Township a cop car and probably three (3) cop cars now. Are we going to spend another \$25,000.00 on this? He can not be out there looking for trucks going up and down. It has now been brought to our attention and is on our radar and to Mr. Nogal, he has been doing this for six (6) years and is fine with no more votes. It is fine. He just wants to help and now this is on our radar and now we will do something about it.

Commissioner Williams-Zabicki stated she called the DEP on the developer and the developer questioned her who called and she admitted she called the DEP and the residents can call the DEP as well.

Mrs. MaryAnn Cupples-Wisnoiski stated they have and have also called the ACCD.

Mr. Brett stated the process is, the Developer does a submittal on a grading permit, the engineers review it, Codes issues the permit and Codes enforces the permit. The next time the engineers will see anything on this is when the Developer must renew the permit. This is a Code Enforcement issue; Kyle is aware of that. If they must go out 15 times a day because someone calls to complain the developer is hauling on the weekends, that is what must happen. That is the only way Codes knows because they can not park themselves there. That is the way it works with grading permits. We could go out 15 times during the week and never find a truck. The Developer may haul from midnight to early morning. The residents will know but there is no one here for the Township.

Mrs. Cupples-Wisnoiski stated they have been told it is the Developers road and he can do whatever he wants.

Mr. Brett stated she was right. The Developer has rights. If he is following the permit, he can haul.

Mrs. Cupples-Wisnoiski questioned any time of night?

Mr. Brett stated there are Ordinances about when you can do things and you will have to file a complaint.

Commissioner Chiurazzi stated he was pretty sure the Developer can haul on weekends. We had this issue with another company having trucks in and out and could not stop it. This Developer can do it as long as he is meeting the code and there may or may not be compaction inspections done.

Mr. Konkle stated if it were him, he would be doing his own inspection reports.

Commissioner Williams-Zabicki stated a municipality is not allowed to do it.

Mr. Brett stated a Developer hires a P.E. licensed in the State of Pennsylvania and he will do a sealed report that states it meets the requirement of the code. That is what is required. We are not getting reports from Joe Blow. Someone is sealing

this and putting his license and company on the line. The guy that seals Mr. Cargnoni's stuff owns a company, so we assume he is doing his job.

Commissioner Macino thanked the public and hopes to get the answers soon.

III. NEW BUSINESS:

1. Consider action on Resolution number 101419-01: A Resolution to open a Parks Department Program Fees Account.

Motion was made by Commissioner Chiurazzi, second by Commissioner Macino to approve Resolution 101419-01 as stated above. By unanimous vote the motion carried.

2. Consider action on Resolution number 101419-02: A Resolution approving that the Acquisition and subsequent disposition of parcels of vacant property know as Block and Lot number; 200-N-1 would be in accord with the Comprehensive Plan of the Municipality.

Motion was made by Commissioner Chiurazzi, second by Commissioner Durisko to approve Resolution 101419-02 as stated above. By unanimous vote the motion carried.

IV. Account Transfers:

- Approval of the transfer of \$20,000.00 from the General Fund Account to the Capital Fund Checking Account.

Motion was made by Commissioner Durisko, second by Commissioner Williams-Zabicki, to approve the transfer as stated above. By unanimous vote the motion carried.

V. Approval of General Fund Operating Account items:

- Invoices paid and checks written from September 10, 2019 to September 22, 2019 in the amount of \$151,863.60.
- Bills requested for payment for September 9, 2019 in the amount of \$209,759.09.

Motion was made by Commissioner Durisko, second by Commissioner Williams-Zabicki, to approve the General Fund Operating Account as stated above. By unanimous vote the motion carried.

VI. Approval of Capital Investment Account items:

- Checks written from September 10, 2019 to September 22, 2019 in the amount of \$119.74.
- Bills requested for payment for September 23, 2019 in the amount of \$19,960.61.

Motion was made by Commissioner Durisko, second by Commissioner Williams-Zabicki to approve the Capital Investment Account as stated above. By unanimous vote the motion carried.

VII. CTMA Sewer Transfer

Commissioner Macino stated the Board asked the Collier Township Municipal Authority (CTMA) Board to attend the meeting too about the transfer of the sewers. The areas of Neville Park and Collier Town Square are maintained by the Township. The rest of the sewers within Collier Township are maintained and managed by the CTMA. One of the topics for discussion is either moving the portion not handled by the CTMA over to the CTMA or moving the portion that the CTMA handles over to the Township. Dan Oberleitner (CTMA Board Member) and Jim Nordquest (NIRA) to attend the meeting and give a brief summary of what they do.

Mr. Oberleitner handed paperwork out to the Commissioners. He stated he has been on the CTMA Board for 20 years. We run as a business and try to be good stewards of the rate payer's money and we try to get grants when we can. We are basically responsible for 74 miles of sewer line. We have three (3) pumping stations and 2,400 manholes that we take care of. We are under the consent order of Allegheny County. Everyone that dumps into Alcosan has this situation and that is why the rates have gone up several years. They just put 40 houses into the sewer lines on Scotts Run Road and will be putting in another 17 houses into the sewer system on Summer Drive. We do 20% inspections of lines every year and report that. We do a facilities management report for Alcosan and DEP. We serve the Township and rate payers very well. It is the Commissioners decision. The money that we have in our accounts is 110% of what Alcosan's rates are for usage which is around 2.350 million dollars. We have a bunch of other projects that need funded. The two (2) areas of the Township having sewer system issues are the Kirwan Heights area and Cabbage Hill. We have replaced lines as we inspected them and try to get rid of infiltration. It is up to the Commissioners to realize we are an asset to the rate payers and the Township.

Commissioner Chiurazzi thanked Mr. Oberleitner for his 20 years. Who replaces and inspects the lines? Is everything hired out?

Mr. Oberleitner stated NIRA does their inspections. When there are line deficiencies, we have companies bid it and have them repair it.

Commissioner Chiurazzi questioned how can or can't it benefit Collier Township taking over this Authority. Would it benefit the taxpayers?

Mr. Oberleitner stated he did not think so because we focus on this particular issue. This whole thing with Neville Park and what Jack has done is where everything went off the rails.

Commissioner Williams-Zabicki questioned what he meant by that.

Mr. Oberleitner stated Mr. Cargnoni circumvents everything he does and we hold bond issues on him and it is a struggle. We have gone out numerous times. We have had him in front of the Board. Mr. Cargnoni tells you he does stuff; he is very reluctant to do it and we must go back several times. We have mandated and told him we were going into do things and just take his bond and we have done that.

Commissioner Chiurazzi stated the CTMA has a staff of two (2) administrative staff and what are they paid.

Mr. Oberleitner stated about \$14.00 per hour.

Commissioner Chiurazzi questioned if they are paid benefits.

Mr. Oberleitner stated yes, they are health benefits.

Commissioner Chiurazzi questioned if the Board members are paid.

Mr. Oberleitner stated yes, \$100.00 a month.

Commissioner Chiurazzi questioned why this wouldn't benefit the Township. The Township could make money and buy another cop car or whatever or maybe we can't use that money for those items.

Mr. Oberleitner stated the Township cannot use the rate payer's money for nothing other than putting it back into the sewer system. Any of that money you must spend on sewers. Not storm sewers. Sanitary sewers.

Commissioner Chiurazzi stated he thought the Township could spend the money on something related to the sewers.

Mr. Oberleitner stated he didn't know but gave the Board paperwork and asked Mr. Nordquest to expand on this.

Commissioner Chiurazzi read the money can not be spent anything other than a service or project directly related to the mission or purpose of the Authority set forth in the Article of the Incorporation or in the Resolutions or Ordinances establishing the Authority.

Mr. Oberleitner stated they had an issue with Summer Drive that the CTMA thought they could help the residents by putting in grinder pumps. We had two (2) attorneys look at it and they said absolutely not. We would be in violation of the ACT.

Commissioner Chiurazzi questioned if the CTMA had any vehicles?

Mr. Oberleitner stated no.

Commissioner Chiurazzi stated all the services are contracted out except the support staff that you have which is two (2) people at \$14.00 an hour plus health insurance.

Mr. Oberleitner stated that was correct.

Commissioner Williams-Zabicki questioned when there is an emergency issue, who is administrating and executing and facilitating in assuring that gets done.

Mr. Oberleitner stated there is a phone call made to NIRA and NIRA would get the proper people out there.

Commissioner Williams-Zabicki stated then the CTMA Board is doing governance over NIRA; their actions, their billing, etc.

Mr. Oberleitner stated correct.

Commissioner Williams-Zabicki stated at the end of the day, where there is a cost through the sewer authority rates to cover replacement of a sewer line, emergencies, etc., the Township is paying \$100.00 a month for five (5) board members and two (2) admin.

Mr. Oberleitner stated the Township is not paying for the CTMA. There is no transfer of money from the Township to the CTMA. It all comes out of the CTMA money.

Commissioner Williams-Zabicki stated in companies that want to consolidate and for companies that want to eliminate overhead, is there an opportunity for the Township to have a benefit, as a whole company, for the taxpayers. Does Mr. Oberleitner see any benefit?

Commissioner Durisko stated he thought the billing and it could go through Jordan.

Mr. Oberleitner stated they use Diversified for billing.

Commissioner Williams-Zabicki stated then the two (2) admins are not doing the billing.

Mr. Oberleitner stated correct.

Commissioner Williams-Zabicki questioned what the admins do.

Mr. Oberleitner stated they work with the residents and get them their permits.

Commissioner Chiurazzi questioned Mr. Brett what the normal is for Township's having a separate sewer authority and what did he know about the use of funds.

Mr. Brett stated the Authority must follow the Authorities act. If the Township does away with the Authority, you will have a sewer department and no authorities act to follow. A piece of the Manager's salary is paid for from the sewer billings as well as a piece of the public works. Right now, the Authority has a consent order and the Township has a consent order. The Township has the same work to do as

the CTMA on the piece of sewers the Township currently owns. All the things the CTMA is doing now, the Township is doing on a smaller piece because the Township owns sewers. The Public Works would be the entity if anything would break. The Township owned system is pretty new so there aren't any issues with it. The admin staff stays the same and the Township staff does part of it now with filing, permits and no lien letters. How there is increase revenue in the Township budget is a piece of your existing expenses are paid for out of sewer rates and then there is money left over in the Township budget is a piece of the existing expenses are paid for out of sewer rates and then there would be money left over in the Township budget. Most Township and Boroughs own their sewers. Authorities came about because the sewer systems had to be built and they had to have a funding mechanism and long-term bonds so they could borrow money for 30 to 40 years and many municipalities did not want to do that, so they created Authorities. Many of them are paper Authorities and don't do anything except an exchange of funds for borrowing purposes only and they follow the Authorities Act. This Authority is unique because it only has a couple people working for it and the engineer does most of the work and they contract everything out. They have Board meetings monthly that make all the decisions and they have an Attorney. There is not a manager. This is typical in this area.

Commissioner Williams-Zabicki questioned what is typical.

Mr. Brett stated a typical model around this area is Township's owning their sewers. Scott Township, Carnegie Borough, North Fayette Township owns their own sewers. The South Fayette Township has a Sewer Authority. Moon Township has sewage plants. Collier's Authority doesn't have an operator and no staff so in essence, it is a paper authority as it stands except it has an operating Authority Board that meet and makes decisions. The sewers the Township owns must go to the Authority because you can no longer have two (2) entities or the Township takes over all the sewers. Both the Authority and the Township are both doing things and there are probably things falling through the cracks that shouldn't. The inspections are still done by the Authority on things Cargnoni does.

Mr. Oberleitner stated NIRA no longer does inspections of Cargnoni's sewers. There are lines that we had to check because we don't know where they are nor having the as-builts.

Mr. Brett stated there are as builts because when they took over the sewers everything was in place.

Mr. Nordquest stated all but the Prestley Glen area and NIRA did not inspect that area. This is one of the reasons we wanted to sewer camera inspections of the lines before we agree to take them over.

Commissioner Macino questioned what Mr. Oberleitner meant by the CTMA having to maintain 110% in their account.

Mr. Oberleitner stated the total yearly usage.

Commissioner Macino questioned when a Developer (using Gregg Station as an example putting in 70 homes) and the sewers are put in, how much does that cost to do that?

Mr. Oberleitner stated the Developer puts the sewer lines in and then we inspect them and accept the lines. From there, everyone pays a tap in fee. The CTMA bought capacity years ago and for every house there is an EDU. As the homes use sewage, Alcosan gets paid for processing the sewage and more gallons.

Commissioner Macino stated there basically is no cost to the Authority when a project like that happens.

Mr. Oberleitner stated not that particular one but on Scotts Run, CTMA spent over a million dollars putting that sewer line in. The houses were already there on septic's and we added the lines. The CTMA took the money out of the reserves and put the lines in. We had to plan for this. We got a grant to do this last summer and had to pay 45% of the money.

Commissioner Macino stated Cabbage Hill which is an older area and a large sewer needs repair, does that fall back on the Authority to do the work and would you get grants.

Mr. Oberleitner stated the CTMA would need to do the repairs and we are always trying to get grants. Whatever the depreciation is you are always trying to put back into the ground so the next generation does not get stuck with lines they will have to replace. You continually try to keep the system up, so we are paying for it as it is deteriorating rather than waiting for it to deteriorate and must increase rates to do repairs.

Commissioner Durisko questioned what percentage of the Township with existing homes still has septic tanks that the CTMA hopes to still expand to.

Mr. Nordquest stated less than 20%.

Commissioner Williams-Zabicki questioned if the CTMA works with the Planning Commission and the Comprehensive Plan to say ten to fifteen years down the line the CTMA may want to put sewers in to encourage development of mixed use.

Mr. Oberleitner stated that would all come with the planning module. NIRA would know that when they get to that point.

Commissioner Chiurazzi stated this is cumbersome when we have another Authority when we have a Township that could take it over. It is a paper group now and we are already doing some of the services. He is grateful for the CTMA doing the work and sees the passion doing this.

Commissioner Williams-Zabicki stated after hearing the CTMA speak, her impression is changing and hears a strategic outlook on what was presented. She likes the idea there is a focused group and maybe at some point the Township may

be ready with the Sewer Authority to combine it all with the Township. She likes that idea of focused government over the process of the sewers.

Commissioner Chiurazzi stated he is looking out for the Township and knows the Township could use the funds for other things that are related. The CTMA is a separate group and doesn't know if the rates are great for Collier Township. We outsource everything except for the ones we own and end up paying for that. It doesn't make sense to him from a business prospective relative to the Township's best interests. He guarantees there is money out there that can be used for purchasing of other things used for sewers and for the public works department.

Commissioner Macino asked for any other questions.

Commissioner Durisko asked Commissioner Ruffennach if he wanted to make a joint statement.

Commissioner Ruffennach stated he would like to see if you can use that money for other things because in his situation in Carnegie Borough, we are not allowed to use sewer money unless it is sewer related.

Commissioner Chiurazzi stated even the Authority can do it in agreement with joint purchases.

Commissioner Macino stated that Commissioner Ruffennach is also a member of the CTMA Board.

Commissioner Chiurazzi stated and if he likes it, it is a tremendous conflict.

Commissioner Ruffennach stated it is like being on this Board. It is interesting.

Commissioner Chiurazzi stated it is a conflict because you have a group that you like and want it maintained so it would be a conflict relative to switching the CTMA over to the Township. His only interest is Collier Township.

Commissioner Ruffennach stated turning the CTMA over to Collier Township he would still be involved in and honestly thinks Collier Township is not ready for it. There is a lot of stuff that goes on.

Commissioner Chiurazzi stated the Commissioner Ruffennach is not saying much for our Township.

Commissioner Ruffennach stated there is a lot of stuff going on. Dye testing of residents that are selling their houses. Permits and all this stuff with new developments coming in.

Commissioner Chiurazzi stated to Commissioner Ruffennach with all do respect, Carnegie handles it and Collier couldn't handle it.

Commissioner Ruffennach stated Carnegie is land locked. Carnegie can't build anything.

Commissioner Chiurazzi questioned if Commissioner Ruffennach was suggesting that Collier couldn't handle this.

Commissioner Ruffennach stated he doesn't think Collier Township could handle taking on the CTMA because there is a lot that goes on.

Commissioner Chiurazzi stated that is why the residents elect people to sit up here at the table. We have two (2) diverse views and he thinks Collier would make money on this deal and be able to use it for the betterment of the Township and be able to control rates a little bit better than outsourcing everything that has to happen verses Commissioner Ruffennach saying Collier can't handle it.

Commissioner Ruffennach stated outsourcing stuff? The sewer repairs or the maintenance of the sewers? If we buy a tractor truck to maintain sewers, you are looking at \$300,000.00 plus insurance plus someone that can operate it plus the upkeep of that truck. It's not cheap.

Commissioner Chiurazzi stated Commissioner Ruffennach drives that one around in Carnegie.

Commissioner Ruffennach stated the street sweeper. This Township doesn't have one and you are looking at \$180,000.00 for one and not every town has one. There is the upkeep of it and yes Carnegie makes money with it and Carnegie takes the money and makes sewer improvements. The CTMA is on top of all these new developments coming into Collier. The CTMA knows everything about Sheetz and everything about Cozza. As a Board you might not think the Authority knows but the Authority knows what is going on and we have our engineers that inspect it and make sure it is done right so these Developers are not pulling the wool over our eyes. We have good knowledgeable people; the Solicitor, the Engineer are unbelievable on the knowledge of the sewer systems. The girls are devoted, can answer questions and get answers for these residents. It is none of this we will get back to you. They get back to them because they call our engineer or the solicitor. They get an answer within a day and get these things straightened out.

Commissioner Chiurazzi stated this is way Commissioner Ruffennach doesn't get a vote because you are on the Authority Board and just talked about the conflict and why you like that stuff. Commissioner Chiurazzi feels Collier Township can handle those things and why wouldn't we. That is not even the issue and if it is, that is not saying much for Collier Township. If you just don't want it for that reason, then ok and he is fine to be out voted on that, but he feels it is a benefit to Collier.

Mr. Oberleitner stated there are quite a few Authorities if you take a look.

Commissioner Macino stated the decision the Board is going to have to look at is, the sewers the Township currently manages, do we turn those over to the Authority or, does the Township assume the sewers the Authority currently handles.

Mr. Oberleitner stated that is why he came to the Board. This has gone on long enough, let's just get this over with.

Commissioner Macino stated he appreciates that and this Board still needs things they need to do to make sure that whatever decision is made, is in the best interest of the Township and that is what it comes down to and thanked Mr. Oberleitner and Mr. Nordquest for coming to the meeting.

VIII. DISCUSSION:

A. Administrative Committee/Public Affairs: Commissioner Ruffennach reported the following:

1. ***Paving Project.*** The paving project is complete. Everything was done by Young Blood paving.
2. ***Pitt Makes A Difference Day.*** Mr. Thauvette explained it is on October 19th. This is put on by the student affairs of the University of Pittsburgh to encourage students to get out and get involved in local communities. Collier has been a site for a few years now. We can get 40 to 50 students volunteers to come out and do some work around the Township. In the past they have done work on the Discovery Path working at the cemetery down by the pond. This year they will be doing some work at the Community Center cutting down flowers and taking the seeds to the Discovery Path to distribute them along the path. They will also be painting the men's and women's bathroom stall doors and put up some new men's and women's signs. It is from 9:00a.m. to 1:00p.m. We will have pizza for them before they leave.
3. ***Night Walk on the Panhandle Trail.*** Is Saturday, October 19th at 7:00 p.m. There is candy for the kids, hayrides, scary stories and a bon fire. Pumpkins will line the trail.
4. ***Rennerdale VFD Halloween Parade.*** Is on October 26, 2019 from 12 noon to 2:00 p.m. It starts at Webb Park and goes to the Fire Department.
5. ***Fall Leaf Pick Up.*** Started today. We will also be collecting small branches and things from 6:00 a.m. to 2:00 p.m. on weekdays. Residents can bring those items to the stockyard on Noblestown Road.

Commissioner Durisko questioned if the stockyard gate will be open on the weekends.

Mr. Thauvette stated people were abusing the stockyard and it is locked on the weekends. It was also done to stop the landscapers from bringing in 20 to 40 bags of grass clippings.

Commissioner Ruffennach stated the Public Works will be picking up leaves that are at the curbside.

Commissioner Chiurazzi stated we should outsource that.

6. **Manager's Coffee Hour.** The next Manager's Coffee Hour will be on November 12th at 9:30a.m. at the Community Center.

B. COG Committee: Commissioner Ruffennach stated the COG meetings started back up and everyone was reporting on their own communities and the events they were having. Collier should be hosting the dinner soon and will find out more at the next meeting which is held next Thursday at Carnegie Borough.

C. Finance Committee:

Commissioner Macino stated all the Commissioners should have spoken to the Directors about the 2020 Budget. The goal is to put together the budget by the end of the month so we can start to review them.

Commissioner Williams-Zabicki questioned if what meeting would we be going over the budget line by line.

Commissioner Macino stated it would be November 11th.

D. Parks and Recreation: Commissioner Durisko reported the following:

1. **Movie in the Park.** We just had Hocus Pocus.
2. **Parks and Recreation Budget.** We just received the budget and will be reviewing it.
3. **Concerts in the Park** are done for the year.
4. **Collierfest** went well except at the end with the rainstorm that came in. We lost about 10 tents.

Commissioner Williams-Zabicki stated a couple of months ago we had talked about the Parks and Recreation Board and the Friends of Collier Park getting together to talk about what we could do better the next time on a project between Friends and the Parks Department as well as the Township and Public Works. She has met with the Public Works Department and they had great suggestions on the next time we have a joint project some improvements so we all can have a better outcome. She was very encouraged by meeting with the department of Public Works and didn't know who the people were on the Friends Board and they want to know. They had some suggestions about how best to move forward with the seeding, etc. She wants to get together with the Boards and Public Works and put together the best practices and suggestions, so we have them for the next project. This will be relationships to have a better outcome on projects.

Mrs. Cupples-Wisnoiski stated she didn't even know the Public Works even cared. The Friends are meeting at the community center next Monday at 3:30 p.m. if they want to stop by.

Commissioner Williams-Zabicki stated they do and she will let them know.

E. Planning and Zoning: Commissioner Williams-Zabicki reported the following:

1. **Budget.** The budget was reviewed with Bob Caun.

2. ***Planning Commission Workshop Meeting*** is this Thursday. A discussion will be around the PEDD amendment to allow a PRD on properties between 10 and 30 acres. There will also be discussion on the Steen Road Partners sit down restaurant.
3. ***Zoning Hearing Board Meeting*** is on October 15th. The discussion is the Dwina proposed townhouses for Dorrington and Hilltop Roads. They are asking for a change to the set back requirements. Bank of America is coming into Collier Township and has a request for setback requirements.
4. ***Gregg Station Recreation Open Space***. There were legal questions we were waiting to get clarification on.

Mr. Thauvette stated the question was they were approved originally for 70 homes. They planned for 68 and would like to put two (2) more in. After speaking to the Township Solicitor, there is nothing in the initial agreement that causes us to go back to square one or start over again in terms of the fee in lieu of recreation open spaces. When talking about two (2) additional parcels, we will just be talking about the fess for just those two (2) parcels and then whether or not the Board wants to accept a fee in lieu of or waive the fee in lieu of for those two (2) parcels.

Commissioner Williams Zabicki stated we are going to recommend compartmentalize that discussion around the two (2) additional parcels for the fee in lieu of for those two (2).

Mr. Thauvette stated that was correct.

Commissioner Durisko stated he is not submitting an entirely new plan.

Mr. Thauvette stated that was correct.

Commissioner Durisko stated he is just submitting a plan for two (2) new houses and isn't that another subdivision.

Mr. Thauvette stated it would be for those two (2) homes. Everything the Board has decided on so far in terms of waiving the fee in lieu of for recreation open space remains.....

Commissioner Durisko stated not waiving. Being put back into per their agreement and contract.

Mr. Thauvette stated right and that opens the larger issue we still have not seen amenities equaling that \$108,000.00 at this point. But for those two (2) additional parcels, we would only be deciding on those two and not on the entire \$108,000.00 plus.

Commissioner Williams-Zabicki stated the process of those two (2) parcels we can make that decision. But for the \$108,000 we said yes, we are not going to take the fee, instead you can develop the amenities. A question that came up is the Developer had made an assumption that the development would be done based on

an agreement with the Panhandle Trail Committee and she was not under the impression this was approved. Do we need to get clarity of this from the Developer and with the Township Solicitor?

Mr. Thauvette stated the Solicitor's standpoint is the Developer needs to provide that.

Commissioner Williams-Zabicki questioned the amenities on his property or the trails?

Mr. Thauvette stated on his property. The discussion and question was who is going to be maintaining the amenities when it is completed.

Commissioner Durisko stated the HOA.

Mr. Thauvette stated the concern with the Developer was he was not going to put this on the HOA that was not directly benefiting from it. The Board's standpoint was if you are putting it in, someone must be responsible for it and it is not fair to put it on the Trail Association.

F. Public Safety Committee: Commissioner Macino reported on the following:

1. **Fire Study.** The Safety Committee has met and talked about the report with the three (3) fire departments. We are in the process of collecting the 22 recommendations, where they fall, who is responsible for them and a timeline of how some of these recommendations can get implemented. Since there is no actual budget for the fire departments other than all three (3) fire department Chiefs saying they want more money to do what they do, this Board does understand the critical nature of our fire departments and the service they provide. We will continue to work with this.
2. **Police Department.** Mr. Thauvette received a contract from the school board relative to the SRO program. There are some changes to it this year. The current contract runs through the end of this year. This Board needs to review the contract and look to see what provides the maximum safety for the students. The SRO's in the schools that are Collier Police will have jurisdiction over what occurs even though the School Board has hired another individual on their own. One of our Officers in the school will maintain any issue that comes up and we want to keep that protection in the schools to protect the students.

Commissioner Durisko questioned if the contract still has one (1) officer at the primary school and one (1) Officer at the high school and there is no mention of any additional officers at the middle school.

Mr. Thauvette stated that was correct.

3. **911.** A couple of meetings ago there was a resident at the meeting to inform this Board about an issue the 911 and some men that came to her house claiming it was an Air B & B. There was a lengthy discussion about what happened. The Chief of Police requested information from 911. After collecting all the data, the

information was not quite as it was described and we feel better about what was done by the County and our Police Officers at the time and the system is not as deficient as we first thought.

4. **Police Budget.** Was received and the big issue is reducing our overtime.
5. **Vanadium Road.** Those that travel Route 50 and what the closure of Vanadium did was terrible. There was a Collier Police Officer at the intersection manually operating the traffic signal. Monday and Tuesday evenings were a disaster. There was a male officer running the lights. Wednesday went pretty smooth and this was our female officer controlling the lights.

Commissioner Durisko stated he still does not understand how Bridgeville gets away with allowing cars to park on the road down Prestley. He does not understand how that is allowed. That is a State Road and why aren't the State Police allowed to enforce it. This made the problem worse because you had an entire lane of traffic from Cavanaugh landscaping all the way down to Route 50 and nobody could get around because those cars are parked three (3) feet over the white line. Someone explained how that is allowed.

Mrs. Cupples-Wisnoiski stated she agreed with Commissioner Durisko.

Commissioner Ruffennach stated it has been that way forever.

Commissioner Durisko stated it must be legal than. Bridgeville refused to do anything about it. They refuse to enforce it and even acknowledge it happens.

G. Public Works Committee: Commissioner Durisko reported the following:

1. **Thoms Run Road.** Parts of Thoms Run Road will be doing night for paving. This is the area between Forsythe Road and Washington Pike. This will begin on Wednesday, 8:00pm to 6:00am on weekdays and during the day from 6:00am to 6:00pm they will be working on drainage repairs and safety improvements. They are trying to have less of an impact on traffic but Wednesday Night they will going down to at least one lane closures.

Commissioner Williams-Zabicki stated a resident questioned what they are going to do for Friday nights football game and the increased traffic. We are waiting to hear back on that and wore residents contacted in that area they are going to be affected by all of this.

Mrs. Cupples-Wisnoiski of Neville Park stated this is the first she is hearing of it besides Mr. Thauvette telling this at the coffee hour.

Commissioner Williams-Zabicki stated she has a friend that lives in Centennial Pointe that is thrilled that Ridge Road got paved and she herself loves driving Steen Road now. It was a good investment on all the roads we paved this year.

H. Township Manager / Township Business: Mr. Thauvette reported the following:

1. ***Traffic in Collier Township.*** It has been very difficult with traffic in Collier Township these last two (2) weeks. With the gas line replacement on Hilltop Road and the work being done on Thoms Run Road and the paving. It is not ideal but at least it is getting done. We appreciate everyone's patience with all the work being done. The traffic control people deal with most of the frustration and anger. The gas line is about done as well as the project on Thoms Run Road. There is also some culvert work getting done on Forsythe Road that may cause some issues.
2. ***Parks and Recreation Comprehensive Plan.*** We will be holding our first steering committee meeting tomorrow night at 5:00 p.m. at the Community Center. The Consultant is coming in to talk to key individuals to start getting input on what the community would like to see done. There will be several opportunities to get others input. This is just a smaller group of people from every region of Collier, every walk of life, age, race, gender, etc.
3. ***Active Allegheny Rails to Trails Grant.*** Along with Carnegie and Scott Township we have been awarded a \$30,000.00 that we can utilize to put together a study to connect the Panhandle Trail head into Carnegie. Carnegie deserves a lot of the praise because they put together the application as the main beneficiary of the grant but a large portion of that will go through Collier Township. We are getting a plan in place that will make us more attractive for additional grant funding to start to remove the railway system, put in the trail and get more connectivity.
4. ***Economic and Environmental working group meeting.*** This was through the Congress of Neighboring Communities in Dormont. The focus was more on environmental. We talked and plastics and recycling. A couple of communities in the SHACOG have been able to partner with PRC, who did our glass recycling events, to set something up more long term. PRC wants to replicate it but want to do it in a way that makes the most sense for the region and not for individual communities. There was discussion about recycling. The statistics are terrifying. It is hard to recycle sometimes but when you look at a plastic spoon's life span being 12 minutes and then taking 100 years to decompose. It puts into perspective what we could be doing to be greener and more ecological friendly. If someone wants to learn more, they are having a connect friend raiser on October 24th starting at 4:00 p.m. at the Parkway Theater in McKees Rocks.
5. ***Pittsburgh Magazine Best of Suburbia.*** Keep this out on our website or Facebook page. Collier Township was ranked in the top 15 for communities and in the top 10 for neighborhoods and number one (1) in school districts.

IX. ADJOURNMENT:

Motion was made by Commissioner Durisko; seconded by Commissioner Williams-Zabicki; to adjourn the workshop meeting at 8:50 p.m. By unanimous vote of the Board the motion passed.

George E. Macino – President
Board of Commissioners

Valerie A. Salla
Township Secretary

Gateway Stormwater Management Report/Proposal

3 messages

Terrence Bell <tbell2441@gmail.com>

Mon, Oct 7, 2019 at 12:15 PM

To: Kyle Thauvette <kthauvette@colliertwp.net>, Dawn Williams-Zabicki <dwilliams-zabicki@colliertwp.net>, Wilson durisko <wilsondurisko1@hotmail.com>, GEORGE E MACINO <g.macino@comcast.net>, wchiurazzi@colliertwp.net, rruffennach@colliertwp.net, bnrenn@gmail.com, Jeremy Funkhouser <jeremywfunkhouser@gmail.com>, Larry Goldstein <ljggolf1@cox.net>, marigold791@yahoo.com, John Garber <jgarber49@gmail.com>, Mary Ann Cupples Wisniowski <mcupples1410@gmail.com>, franknogal66@gmail.com, khl1@comcast.net

I trust the Township engineer and solicitor are diligently working on addressing the six points I raised in my September 20, 2019 email. I would hope these answers would be ready by the next Commissioners meeting.

I wanted to bring up an additional point of concern relative to the Gateway SWM Proposal.

My last review of this proposal has 10+ acres of runoff being directed to a level spreader. Many of the points I raised in my September 20th email center around this proposed structure.

I noticed that the Township Stormwater Management Ordinance lists several technical references, apparently used in design considerations relative to this ordinance. Reference 4 is the PA-DEP Erosion and Sediment Pollution Control Program Manual (Technical Guidance Number 363-2134-008) dated March, 2012.

Page 253 of the aforementioned Program Manual states that the maximum drainage to an earthen level spreader should not exceed one (1) acre. Yet, as noted above, the latest Gateway SWM Proposal addendum appears to be directing 10+ (ten plus) acres of drainage area to the proposed level spreader.

This appears to be a major discrepancy between the Gateway proposal and the PA-DEP Program Manual. Since LSSE has stated its only role in this process is to determine if the Gateway proposal satisfies all Township ordinances, I guess the PA-DEP has to be brought in to evaluate this major discrepancy and determine the reasons for this difference.

As such, I request that the Township forward a copy of the latest Gateway SWM Proposal/Report for the Villages at Neville Park to the ACCD for review.

Terry Bell
793 Marigold Court

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Mon, Oct 7, 2019 at 12:16 PM

To: tbell2441@gmail.com

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Stormwater Management Proposal Addendum

2 messages

Terrence Bell <tbell2441@gmail.com>

Fri, Sep 20, 2019 at 11:18 AM

To: Kyle Thauvette <kthauvette@colliertwp.net>, GEORGE E MACINO <g.macino@comcast.net>, Wilson durisko <wilsondurisko1@hotmail.com>, Dawn Williams-Zabicki <dwilliams-zabicki@colliertwp.net>, rruffennach@colliertwp.net, wchiurazzi@colliertwp.net, marigold791@yahoo.com, bnrenn@gmail.com, Jeremy Funkhouser <jeremywfunkhouser@gmail.com>, Larry Goldstein <ljpgolf1@cox.net>

I appreciated the explanation LSSE provided to me relative to its role in the SWM Proposal. I feel it merits repeating for those included in the email distribution that may not be aware of this explanation.

LSSE will compare this proposal and any addendums to the existing Township ordinances. It will identify any portion of this proposal that does not comply with the Township ordinances and pass these areas of non-compliance to the Township commissioners. LSSE will not evaluate or comment on the feasibility and/or engineering content of the proposal. It merely performs the aforementioned comparison to the Township ordinances

This means that if the Developer objects to identified areas of non-compliance with the Township ordinances, the commissioners must :

1. Hold fast on the ordinance and force the Developer to comply
2. Issue a variance to the ordinances that will permit the Developer to proceed with a plan that is not in compliance with the Township ordinances

This means the consequences of any such variance rests solely on the shoulders of the commissioners.

Moving on to the amended SWM Proposal, I have the following observations

Comparing LSSE letter of July 18, 2019 to Gateway response to this letter dated September 5, 2019

Point 1: The Township engineer seems to have taken the position that a new grading permit must be submitted. Is the Township planning, yet again, to ignore the counsel of its Township engineer

Gateway states the existing NPDES permit is to be used for this work. Please note the cover page of the Erosion and Sediment Control Addendum, dated as Revised on July 8, 2019. The certification paragraph states that the information contained in this addendum "... represent actual field conditions." I direct the Township to Appendix B of this addendum. Page 1 is a photo of the Marigold Court Hillside. This photo does not represent actual field conditions. The hillside failure north of my property is not evident. This is explained on page 2 of this appendix as the photo was taken between July 5 – August 28 2014. Clearly, Gateway Engineers has violated their certification of a sealed document, namely the Erosion and Sedimentation Report Addendum. This begs the question of what else is contained in this E&S report that does not represent present day field conditions.

Gateway states that it intends to use the NPDES permit based on the Erosion and Sedimentation Addendum. Since this addendum does not represent actual field conditions, as of this date, the request to use the existing NPDES permit should be denied by the Township.

Point 2: No Geotechnical report is planned to be provided. I trust the Township will not accept this position as the forebay BMP is to be located in an area where a major hillside failure has occurred. A geotech report is needed here.

Point 3: Relative to the SWM facilities ownership question. CDC is an affiliate of Woodville Associates. Who, then, will own the facilities? The SWM system being proposed will be developed and owned by Woodville Associates. It is entirely on Woodville Associates property. What is the position of the Township here?

<marigold791@yahoo.com>, "bnrenn@gmail.com" <bnrenn@gmail.com>, Jeremy Funkhouser
<jeremywfunkhouser@gmail.com>, Larry Goldstein <ljggolf1@cox.net>

Terry,

Thank you for your email. I've forwarded a copy of your letter to both our solicitor and engineer for their review.

Have a great weekend,

Kyle

Kyle P. Thauvette
Township of Collier
Manager

kthauvette@colliertwp.net

412.279.2525



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