

MINUTES

COLLIER TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING

August 28, 2023

7:00 P.M.

- I. CALL TO ORDER:** President Chiurazzi called the meeting of the Board of Commissioners to order at 7:00 P.M.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

BOARD

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

STAFF

Kate Diersen, Solicitor - Present
Travis Stanczyk, Engineer - Present
Sgt. Kris Sabin, Collier Police - Present
Bob Caun, Planning Director -Present
Amy O’Neill, Finance Director – Absent
Tom Plietz – Bldg/Fire Codes – Absent
Wilson Durisko–Codes Officer - Present
Bob Palmosina, PW Director – Present
Rob Shazer – Parks Director – Present
George Macino, Twp. Manager Present
Dana Slizik, Asst. Manager – Present
Valerie Salla, Twp. Secretary – Present

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

II. APPROVAL OF MINUTES

1. July 10, 2023 – Board of Commissioners Workshop Meeting

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

2. July 24, 2023 – Board of Commissioners Regular Meeting

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

III. REPORTS OF OFFICIALS AND COMMITTEES:

A. Solicitor

B. Engineer

Commissioner Cupples asked for an update on Dorothy Street.

Mr. Stanczyk informed the Board they have been working with Township staff regarding flooding issues there. The Solicitor is drafting an access agreement so we can get in there to do some work at the head wall pipe. The pipe needs to be cleaned out. They are also going to look upstream at the water contribution coming down to the pipe. We are going to be looking at the Prestley Heights pond making sure it is functioning properly. We also want to make sure everything else is functioning properly and maybe do some modifications or suggest some modifications to the retention pond.

Commissioner Cupples questioned if it is a Township issue.

Mr. Stanczyk stated this needs to be discussed overall as far as responsibility and discussed with the Solicitor.

Commissioner Chiurazzi questioned if this was discussed with the Solicitor yet.

Commissioner Cupples stated she did not know, she just wanted to know how it was going to be fixed and who was responsible for fixing it.

Mr. Stanczyk stated there is ownership responsibility with who owns the pipe, who owns the land and who owns the upstream contribution.

Commissioner Cupples questioned if the pond belongs to the Township.

Mr. Stanczyk stated we believes it is the Homeowners Association.

Commissioner Chiurazzi stated the resident has been to many meetings and asked the Managers, George and Dana, where we are with this issue and if the Board needs to give permission for the Solicitor to look into this.

Mr. Macino stated we have been involved with this along with Bob Palmosina and Tom Plietz. We are trying to figure out what is going on and over the years we have not done a good job to understand what is happening. Once we get the final results on this, we can sit down with the Solicitor and decide who's it is and who's responsibility and then come back to the Board with their recommendation.

Commissioner Chiurazzi stated it sounds like we are trying to figure out a solution before results.

Mr. Stanczyk stated they have looked at it and have televised the pipe for Dorothy Street up to the head wall, where the water enters the pipe, and just got the results back today and shared them with the Township staff. In summary, the pipe that is currently there is older and not in great shape but is still functioning. That pipe is probably not the cause because there are no blockages in that pipe. We are looking at what can be causing the problem to figure out who's responsibility it is.

Commissioner Cupples stated then it is a step-by-step process and questioned if the Board will be apprised of this in the near future and then stated if we could expediate this she would appreciate it.

Mr. Stanczyk stated yes.

Commissioner Young questioned the size of the head wall pipe and what is the diameter of it coming down the hill from Prestley Heights.

Mr. Stanczyk stated it was 15 inches at the head wall. He did not know the size of the other pipe but had been told it was 24 inches. He needs to go out to the site to look at it and can not confirm or deny the size of 24 inches.

Commissioner Cupples questioned if Public Works has anything to add to this.

Mr. Palmosina stated he had met with Mr. Meiser about an hour ago and told him what their thoughts were. We do not know whose water it is, but Mr. Palmosina believes it is the Township's water, but he could be wrong. We should wait to see what the Solicitor says. Mr. Palmosina believes what Mr. Stanczyk says is doable and could solve the problem. He does believe it has something to do with Prestley Heights and we need to slow the water coming out of that pond.

Commissioner Chiurazzi questioned if we own anything more than the pipe and who owns the pond?

Mr. Palmosina stated the pond is owned by the homeowner's association.

Commissioner Chiurazzi questioned if the pond is feeding into this 15-inch pipe, where is the water running down to?

Mr. Stanczyk stated the pond feeds into the storm system that runs along Shadow Drive which discharges at the end of Shadow Drive and traverses down to the end wall of the pipe at Dorothy Street.

Mr. Palmosina gave the board a copy of the map.

Mr. Chiurazzi questioned if the pond is the source of what is causing this resident flooding issues.

Mr. Stanczyk stated that is to be determined. The water from the pond contributes to the system.

Mr. Palmosina stated rainwater, down spouts, gutters and water from the road all go into this 15-inch pipe.

Commissioner Chiurazzi and Mr. Stanczyk stated the pond is not the Township's water.

Commissioner Cupples questioned if the pond needed to be bigger, could that be done. The HOA would have to do that.

Mr. Palmosina stated the pond size is not the issue.

Mr. Stanczyk stated it is not the size of the pond that is the issue, he feels it is the outlook structure and the orifices and the rate at which the water comes out of it.

Commissioner Chiurazzi stated it is still their water joining our water into a pipe, that is our pipe, that might be too small that ends up where on this map.

Mr. Stanczyk showed the Board on the map the flow of the water.

Commissioner Chiurazzi questioned what happens out of the outfall.

Mr. Palmosina stated the water comes out of the ravine, ties into the pipe and goes into the manhole.

Commissioner Chiurazzi questioned if the water flows over the pipe.

Mr. Palmosina stated yes. There are two (2) veins that come down.

Commissioner Chiurazzi questioned if it only floods when it rains.

Mr. Palmosina stated in heavy, heavy rain, it floods. So far, it has not flooded since we removed debris. In normal rain, it does not flood.

Commissioner Chiurazzi questioned if a bigger Collier pipe will work.

Mr. Palmosina and Mr. Stanczyk stated this has not been determined yet.

Mr. Palmosina stated debris jams it up. When there is no debris, the water flows into the pipe.

Commissioner Chiurazzi suggested having the Solicitor look into this to see who is responsible for fixing this problem.

No other questions or comments were made.

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

Commissioner Chiurazzi asked for a motion to admit all the reports of the officials and committees.

Motion was made by Commissioner Cupples, seconded by Commissioner Chiurazzi, to admit all the reports of the officials and committees. By unanimous vote, the motion passed.

IV. Public Comment/Comment on New Business Items:

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

Ariana Light of 4170 Thoms Run Road approached the Board stating she was informed by her neighbors the Township is no longer doing maintenance to Walnut Lane effective April of this year. The access to her home is off Walnut Lane. She did not receive a letter from the Township regarding this. In 2017 when she purchased her home, the deed did not show any easements for this road. The consensus of the neighbors was Walnut Lane was a public road. In 2020, she had a survey done of her property that showed her property line does not extend into Walnut Lane. When she checked the Allegheny County Infrastructure website, Walnut Lane is listed as a municipal road. If Walnut Lane is private, she is landlocked and is at the mercy of whoever owns this property to allow her access to her home.

Commissioner Chiurazzi asked management for an update on this.

Mr. Macino stated all residents that lived on a privately owned road were sent letters that the Township is discontinuing maintenance/snow plowing of those roads. If there is an emergency, we have in the past did something with the roads. The Solicitor advised us that the Township needed to discontinue maintenance on privately owned roads. If Ms. Light’s address is Thoms Run Road, she probably didn’t get the letter because Thoms Run Road is not involved in the discontinuation of maintenance. Thoms Run Road is a County Road.

Commissioner Chiurazzi asked what her address is because we don’t want to miss sending her information.

Mrs. Light stated she has two (2) properties. Her house is on the upper property and the access to the house is off Walnut Lane.

Mr. Macino stated that anyone who owns property on a private road is responsible for maintaining the road. The neighbors would have to get together and discuss how they plan to maintain it.

Commissioner Chiurazzi stated that notices were sent township wide to residents on private roads. We can give her a copy of the notice that went out to people on those roads.

Mrs. Light questioned who owns Walnut Lane.

Commissioner Chiurazzi stated the residents that live on Walnut Lane have rights to it.

Solicitor Kate Diersen questioned if Mrs. Light knew if the neighbors had ever maintained the road.

Mrs. Light stated no. She spoke to all the neighbors and they all thought the road was a Township Road. A couple of neighbors said they were not allowed to have a fence up against it because there had to be a set back because it was a Township Road.

Commissioner Chiurazzi questioned if Mr. Macino knew if the Township ever maintained Walnut Lane.

Mr. Macino did not know the answer.

Commissioner Chiurazzi stated Mrs. Light will need to get together with the neighbors and they will have to discuss how they will maintain Walnut Lane because the Township will not be maintaining it.

Mrs. Light stated ok.

VI. New Business:

1. Consider action to approve Resolution 082823-01; A Resolution approving the acquisition and subsequent disposition of numerous parcels of vacant property known as lot and block numbers; 146-B-14 (Spring Street) would be in accord with the Comprehensive Plan of the Municipality.

Commissioner Young questioned if the Township is doing the demolition of this.

Mr. Durisko, Codes Officer, stated this is part of the Allegheny County Vacant Property Program. The neighbor has been taking care of this property and would like to take possession of it. The property is currently off the tax roles and has liens against it. They would pay a fee to the County and the County grants it to them with our approval of it meeting the Comprehensive Plan.

Commissioner Chiurazzi questioned of the Township makes any money off this.

Mr. Durisko stated the property gets put back on the tax roles.

Solicitor Diersen stated the Township never actually takes it, the County takes it through the Redevelopment Authority and they transfer the title.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Young, to approve Resolution 082823-01 as stated above. By unanimous vote, the motion passed.

2. Consider action to approve the PRD revision request of Legacy Development. Legacy has asked for a waiver from Section 904.9 of the Subdivision and Land Development Ordinance requiring at least two feet between the sidewalk and the edge of curb or pavement.

Mr. Caun informed the Board the subdivision requires from the edge of the road to the sidewalk, at least two (2) feet and this usually ends up a grass strip. Legacy being a town home community results in a lot of little, tiny grass strips everywhere. Legacy would like to move the sidewalk up to the edge of the curb eliminating the two (2) feet of grass. The Planning Commission looked at this and this turns out to be a maintenance issue and voted to recommend the Board of Commissioners grant the PRD revision request.

Commissioner Cupples questioned if the two (2) feet of grass is eliminated, what will the width of the sidewalk be.

Mr. Mike Wetzel of Victor Wetzel Associates stated the sidewalk will still be the required width of the sidewalk. They are not changing the sidewalk. They are shifting the sidewalk to the back, to the wedged curb giving more greenspace in front of the units.

Commissioners Chiurazzi questioned why this is not done on everyone's.

Mr. Caun stated some people look at it as a safety factor to keep people far away from the edge of the curb. A lot of times the sidewalks are up against a curb of parking areas. In a single-family neighborhood, it is a longer strip of grass and looks better than the townhome communities that have a lot of little strips of grass throughout. Developers can come to ask for a variance if they need to.

Motion was made by Commissioner Young, seconded by Commissioner Vaughn, to approve the PRD revision waiver request as stated above. By unanimous vote, the motion passed.

3. Consider action to set a public hearing date of Monday September 25 at 6:30 pm for the proposed Zoning Ordinance text amendment regarding Assembly Hall.

Mr. Caun informed the Board and Assembly Hall is a place to have graduations, weddings and other gatherings. People want to rent outdoor venues. The Planning Commission worked on this and came up with an ordinance for an Assembly Hall can only be in a business and commercial districts. It is not allowed in a residential area. The NPC requires a public hearing be held before a vote.

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

4. Consider action to appoint Ethan Styche to fill the vacancy on the Board of Commissioners for the term ending December 31, 2023. This appointment will be effective Tuesday, August 29, 2023.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Vaughn, to appoint Ethan Styche as stated above. By unanimous vote, the motion passed.

VII. Approval of General, Capital and Sewer Fund Operating Account items:

- Invoices Paid, Checks Written and Bills Requested August 15, 2023, to August 28, 2023:
 - General Fund in the amount of \$350,869.68
 - Capital Fund in the amount of \$1,418.05 and
 - Sewer Fund in the amount of \$1,605.60

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

VII. Adjourn

The Board welcomed Ehtan Styche to the Board of Commissioners.

Motion was made by Commissioner Young, seconded by Commissioner Vaughn, to adjourn the meeting at 7:32 p.m. By unanimous vote, the motion passed.

Wayne M. Chiurazzi – President
Board of Commissioners

Valerie A. Salla
Township Secretary