

MINUTES

COLLIER TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING

October 23, 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

Ethan Styche – Present
Tim Young –Present
Dawnlee Vaughn – Present
Mary Ann Cupples – Present
Wayne Chiurazzi, Esq. – Present

STAFF

Kate Diersen, Solicitor - Present
Travis Stanczyk, Engineer - Present
Craig Campbell, Police Chief - Present
Bob Caun, Planning Director -Present
Jeff Hinds, 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. September 11, 2023 – Board of Commissioners Workshop Meeting

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

2. September 25, 2023 – Board of Commissioners Regular Meeting

Motion was made by Commissioner Styche, 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 stated the flyer received from PA American Water that indicates three (3) streets they will be changing out because of ageing water mains. The streets are Fifth Street, Brook Street and Summer Drive. Does the Township have any plans on redoing these streets at this time?

Mr. Stanczyk stated he did not know if the Township had any plans.

Commissioner Chiurazzi questioned if the water company tears up our streets, do they fix them?

Mr. Palmosina stated they have to repair the road curb to curb and it depends on where the water line is located.

Commissioner Chiurazzi questioned when this is being done.

Commissioner Cupples stated in 2024. It will be approximately 3,200 feet of ageing water lines to be done in 2024.

Commissioner Young questioned what is being done with the sanitary relocation project on Route 50 (Washington Pike) and are we working with NIRA Engineers on this project and what about the road relocation project.

Mr. Stanczyk stated NIRA Engineers originally designed the plans to relocate the sanitary lines. We worked through some issues and the Township portion of this is done. He did not know where they are with the road widening project.

Commissioner Cupples questioned when they may be finished.

Mr. Stanczyk stated they are supposed to be done this year. He heard the contractor, Allison Park Contractors, are having some issues with some water line locations and some other things, so they are behind schedule.

Mr. Macino stated they have not started moving utility poles yet. The original plan was to have all the utility lines moved by the end of this year and start widening the road in the spring of 2024. We have not heard anything about moving the poles. They have blocked off the road towards Vanadium for the retaining wall work.

Commissioner Cupples stated at one point, Eat N Park is going to be torn down and rebuilt which will delay things.

Mr. Macino will get an update for the next meeting.

Commissioner Chiurazzi questioned if the roads that were to be done this year will be put all together with the roads to be done in 2024?

Mr. Stanczyk stated he spoke to the contractor last week and the contractors book their schedules, and they may get pushed back due to weather conditions. There is a chance they will still be able to get to the roads this year within the time frame of the contract, however, they would like to discuss potentially pushing it to next year. It would be the beginning of the year and Collier Township would be first on the list and they would hold the prices per the contract.

Commissioner Chiurazzi questioned if they are going to do our roads? If not, are we going to put these roads in with the roads we approve for 2024?

Mr. Stanczyk stated if the Board wants the roads done this year, you will not be able to find another contractor to do the roads this year. Everyone else is booked.

Commissioner Chiurazzi stated he understood that and we contracted with them.

Mr. Stanczyk stated the options are that someone calls the Contractor and tells them we need the roads done within the contracted times and if not, the Solicitor would need to get involved for liquidated damages or breach of contract.

Commissioner Chiurazzi questioned if there is language in the agreement relative to liquidated damages that can benefit the Township because we are not waiving that at all. We need this finalized because it is October 23rd. In the next two (2) weeks, we need to find out what will be done.

Commissioner Cupples stated she, Mr. Macino and Mrs. Slizik are meeting with Mr. Stanczyk on Thursday to go over this and come up with a plan. She would like to be part of riding the roads for the 2024 road program.

Commissioner Chiurazzi stated he would like an answer to what is going on and we need to get the 2024 roads approved because budget time is here and if the 2023 roads are not done, they will need to be part of the 2024 road program.

Mr. Macino stated that this Thursday at 10:00a.m. we will be doing the roads.

Commissioner Chiurazzi stated we will talk in two weeks and if this is contractual in nature from a legal standpoint, we can talk about this in executive session. We can tell the public, when the contractor breaches the contract, the Contractor will owe the Township \$500.00 a day. Does this mean the Contractor is done? We still have the money for those roads that have not been done yet and can be done in 2024. Do we have the ability to sue the Contractor for the difference of those roads for the price it will cost in 2024?

Commissioner Cupples stated could this Contractor give us the same pricing for the roads we want to have done in 2024, if we use them for the 2024 Road Program. Will they lock the old price in?

Mr. Stanczyk stated he did not think the Contractor would do that. The Contractor did say they will if the Township is open to it, do the roads next year with Collier Township being the first on the list and hold their prices for the 2023 roads and if there are any issues on the roads to be paved this year, they will come out and do pothole patching.

Commissioner Chiurazzi stated contractually we have our deal. They are not doing our roads and it is totally unacceptable. There is a liquidated damages clause and it must be enforced.

Commissioner Young questioned what is the earliest roads can be done in the spring?

Mr. Stanczyk stated it really depends on the weather but if it is 40 degrees ground temperature and ambient temperature you can pave.

Commissioner Young stated that March is a possibility. We want to have all the roads in 2024 ready to go by April 1, 2024.

Mr. Stanczyk stated that is the best-case scenario.

- 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 accept all the reports by the Directors.

Motion was made by Commissioner Young, seconded by Commissioner Cupples, to accept all the reports by the Directors. By unanimous vote, the motion passed.

IV. Public Comment/Comment on New Business Items:

There were no public comments.

V. New Business:

1. Consider action on Resolution No. 102323-01; A Resolution approving the acquisition and subsequent disposition of numerous parcels of vacant property known as block and lot numbers 197-G-3 would be in accord with the Comprehensive Plan of the Municipality.

Commissioner Chiurazzi questioned if the Township is going to acquire vacant property?

Commissioner Young stated he talked to Mr. Durisko today and this is a small property in Presto that hasn't had taxes paid on it for a couple of years and the neighbor next to it wants to buy it.

Mrs. Diersen stated this is part of the Allegheny County Vacant Property Recovery Program. The Township does not acquire the property. The County acquires it on behalf of the new property owner, cleans up the title and transfers it to the new property owner. This is then put back on the tax rolls. It gets approved first through the Township.

Commissioner Chiurazzi stated the motion sounds like the Township is acquiring property and he doesn't want it to sound like that because he doesn't want someone getting hurt on this property. He wants the motion to be clear.

Mr. Macino stated it may be a little confusing, but the acquisition is not by the Township.

Commissioner Chiurazzi stated in the Resolution 102323-01, does it talk about the Township not getting the title to this property but facilitating the transfer to someone else. He wants to make sure this is clear.

Commissioner Cupples stated in the materials she read, it appears that way. It explains that the gentleman has been taking care of cutting the grass for several years and he wants to consume that property in his lot.

Commissioner Young agreed with Commissioner Cupples.

Commissioner Chiurazzi questioned if we could put the gentleman's name in the motion that wants the property.

Commissioner Young stated the gentleman had already signed the paperwork.

Mrs. Diersen stated what is important to the Township is that the Township approves the acquisition in accordance with the Comprehensive Plan.

Commissioner Chiurazzi stated he will make the motion as long as it is approving the acquisition by someone other than Collier Township.

Commissioner Young stated the name on the paperwork is Jason Colon and he signed the paperwork and Mr. Durisko approved it on September 29, 2023.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Styche, to approve Resolution 102323-01 with the addition of adding Jason Colon is acquiring the property as stated above. By unanimous vote, the motion passed.

2. Consider to approve Resolution No. 102323-02; A Resolution accepting the Sanitary Sewers in the James Moretti Plan of Lots.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Cupples, to approve Resolution No. 102323-02 as stated above. By unanimous vote, the motion passed.

3. Consider action to approve Bond Reduction Request #1 for Starbucks at Chartiers Valley Shopping Center. Township Engineer LSSE has reviewed the request and recommends the Township reduce the bond amount from \$444,127.02 to \$236,104.40, which represents 110% of the total cost of the remaining improvements.

Commissioner Chiurazzi questioned why this motion has the Township Engineer as LSSE instead of the current Engineers.

Commissioner Cupples stated that is because LSSE is finishing up what they had before.

Commissioner Chiurazzi stated our system is if you get replaced, you still get to do work.

Commissioner Cupples questioned if this is getting to the end of what LSSE is responsible for.

Mr. Stanczyk stated he didn't know what LSSE is responsible for.

Mr. Caun stated they are about halfway through things they are responsible for. They bond everything and as the improvements are made, they can ask for a release in the bond.

Commissioner Chiurazzi stated when you get replaced, it should mean you are replaced. If LSSE did not exist anymore, we would need an engineer to approve this.

Mrs. Diersen stated she would note that part of the initial approval and the fee is paid by the applicant. Part of the fee is for the engineer's cost. The applicant has paid LSSE. Mr. Stanczyk has not reviewed those plans and the applicant does not want to pay Mr. Stanczyk to review plans. The new engineer does not want to step into the shoes of LSSE and assume that LSSE has done everything correctly. This is why things kind of hang on.

Commissioner Chiurazzi questioned what would happen if someone we replaced said now something that cost \$1,000.00 is really \$3,500.00.

Mrs. Diesen stated the Solicitor would handle this.

Motion was made by Commissioner Young, seconded by Commissioner Vaughn, to approve the bond reduction request #1 for Starbucks 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 October 10, 2023, to October 23, 2023:
 - General Fund in the amount of \$293,430.43,
 - Capital Fund in the amount of \$3,301.61, and
 - Sewer Fund in the amount of \$14,237.29.

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

VII. Adjourn

Commissioner Chiurazzi stated that before we adjourn, Peace to the World and we all should think about that.

Motion was made by Commissioner Vaughn, seconded by Commissioner Cupples, to adjourn the meeting at 7:19 p.m. By unanimous vote, the motion passed.

Wayne M. Chiurazzi – President
Board of Commissioners

Valerie A. Salla
Township Secretary