

MINUTES

COLLIER TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING

November 27, 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
Dawnlee Vaughn – Present
Tim Young – 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 – Present
Bob Palmosina, PW Director – Absent
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. October 9, 2023 – Board of Commissioners Workshop Meeting

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

2. October 23, 2023 – Board of Commissioners Regular Meeting

Motion was made by Commissioner Cupples, 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

Commissioner Cupples questioned the correspondence with DDI recent developments and is this something the Township is paying for.

Mrs. Diersen said yes.

Commissioner Cupples questioned why we are talking to DDI because they have been here to both the Planning meetings and Zoning meetings complaining about the Tidal Wave Car Wash. How are we involved in this?

Mrs. Diersen stated the Township wants to stay out of this as much as possible. The involvement was, DDI's Attorneys have previously requested information through a right to know and under the NPC, they can request notices. They were looking for additional information and were reaching out to make sure they had all the information that was advertised. She corresponded with Bob Caun to make sure that they had all the information.

Commissioner Cupples wanted to make sure we were not spending any money on them.

Mrs. Diersen stated we just wanted to make sure that everyone has all the information going forward.

Commissioner Young stated the report says spoke to Council for Barrington Manor referencing the stormwater retention pond and asked if the Engineer was aware of this.

Mr. Stanczyk stated he is aware of this but it is more of a legal thing on who owns it.

Mrs. Diersen stated that is what she understood. The Attorney representing the HOA reached out to us letting us know they have concerns with the retention pond on their property. They asked if the Township would be interested in taking it over. She followed up with the Township, Gero and Bob and the engineer, Travis, was copied on the email to find out when the pond was built and the development was approved and to make sure the Township was meeting any liability and requirements it has. From the information she had, it is not the Township's responsibility and she does not recommend taking it over. It is private. There are a lot of retention ponds in the Township that are private and they need to be maintained as private.

B. Engineer

Commissioner Cupples stated there is a notice here from the Pennsylvania Department of Community and Economic Development for \$9,500.00 for source of funds. What is this for?

Mr. Stanczyk stated this is for the LSA Grant to retrofit a pond for the MS4 program. This is committing matching funds. The LSA Grant is 100% funded but typical only covers a small portion of the engineering costs. The \$9,500.00 is the commitment to cover any outstanding engineering costs.

Commissioner Cupples stated that in the report it states final approval is needed for ball fields. What do the Commissioners have to do to get this moving forward.

Mr. Stanczyk asked the Board to tell him this is what the Board wants to do and he can move forward.

Commissioner Cupples stated she thought the Board did this two (2) weeks ago.

Mr. Stanczyk stated he didn't know if it had to be an official vote.

Commissioner Cupples questioned if this has to be on the agenda to vote on or is the verbal ok that was given to Rob Shazer and Travis Stanczyk two (2) weeks ago.

Mr. Macino questioned if the Commissioner was asking for the securing of Engineering funds.

Commissioner Cupples said yes and to get the Board information on the exact cost is what was agreed to two (2) weeks ago.

Mr. Macino stated that a verbal direction is fine for Mr. Stanczyk to get started on this.

Mr. Stanczyk stated he will get started on it.

Commissioner Young questioned if we are going to move forward with the four (4) ballfields.

Commissioner Cupples stated it is to get prices.

Commissioner Young stated we have very little Capital Funds to do this and is against it at this time. He is very much against it.

Commissioner Chiurazzi stated that to be clear, one of the things he doesn't like about government is that it is delayed and there was a miscommunication because we asked about it two (2) weeks ago. We need to be really tight on these meetings and he would have liked more progress on this.

Commissioner Chiurazzi advised Mr. Stanczyk to get some prices to the Board as soon as he can. It is budget season and time is relative to us knowing this. He wasn't sure where this got lost and was not pleased about it and we hope this doesn't happen with something that is more important than baseball fields.

Commissioner Young spoke to Mr. Macino about the ballfields and the thought was we create a special tax just for Parks and Recreation for future developments. This would be something like we did back in 2016 and then in four (4) or five (5) years we would have the money. This is something we may want to consider because right now is a bad time to pursue it financially.

C. Management

Commissioner Chiurazzi stated what is being done on the road coming off Vanadium. There is a wall being built and what is it going to look like there with the roads. Can we post something on the website as to what is going on there and what it will look like from a configuration standpoint. He gets asked about this all the time and would like to refer someone to the website.

D. Building/Codes

Commissioner Cupples stated the other day, there was a pod delivered across the street from her house. A huge truck came and picked it up and then another truck came and dropped off another Pod. She knows a permit is needed for dumpsters but didn't know what the requirements are for a Pod.

Mr. Plietz stated they are the same. If the Pod is on a public road, they need a permit and they don't.

Commissioner Cupples asked Mr. Plietz to check 609 Juniper that has a Pod and she was not happy about it. It is one thing to deliver it, but it was there for Thanksgiving and if she had company over, she would not want to see a Pod across the street. Today a huge truck came and she thought they would do something to the road, so she mentioned this tonight.

Mr. Plietz stated this is the purpose of getting a permit to make sure the road is not damaged. It has to be reviewed by the public works director to make sure there is proper padding under it, so it does not damage the road.

Commissioner Cupples stated it was put in the driveway and then taken and put on the street. Then a truck came and picked it up and then another truck came and put another Pod there.

Mr. Plietz questioned if they are on the road or in the driveway.

Commissioner Cupples stated they are in the driveway but today the Pod was put on the road for about a half hour before it was picked up.

Mr. Plietz stated they are not required to get a permit if the Pod is on private property. If the Pod is placed on the road, it has to be approved by the Public Works Director for safety precautions. This is so the emergency vehicles can

get around it if necessary. If the Pod is in the driveway, a permit is not needed.

E. COG

F. Finance

G. Parks and Recreation

H. Planning/Development/Zoning

Commissioner Cupples stated she is concerned about a light on Thoms Run with the new Neville Park Phase II development. At the Planning meeting the other night, the traffic study said it did not warrant a traffic light. She is hoping that when Penndot gives the Township their decision that they changed that to have a light and if they don't warrant a light, can the Township fight this. She doesn't feel traffic will be any better than the primary school is. This could be a bad situation without a traffic light. She questioned if we had heard from Penndot yet.

Mr. Caun stated we have not heard from Penndot yet and he will let the Board know when we do. He did not know if the Township could appeal PennDOT's decision on the traffic study, but we could try.

Commissioner Chiurazzi questioned what factors does Penndot look at to see if a traffic light is needed or not.

Mr. Caun stated that on Thoms Run, they studied Route 50 at the Park and Ride. They studied the high school entrance and the primary school entrance and the Steen Road intersection. They also studied Hilltop Road and Dorrington Road and Collier Avenue at Hilltop Road. They take all the traffic counts and they come up with whether turning lanes, stop signs and/or traffic lights are warranted. When we received the traffic study, everyone was surprised that nothing was warranted. There weren't enough vehicle trips per day. Penndot and the County are still reviewing this.

Commissioner Cupples stated we hope it comes back that a traffic light is warranted and if not, maybe we can appeal it. We were all told a long time ago that a traffic light was needed.

I. Public Safety – Fire

J. Public Safety – Police

Commissioner Cupples stated that on the Chief's report, it says that MaryAnn Cupples-Wisnoiski and the Assistant Manager gave him permission to look at a vehicle and she wanted the Chief to add that Commissioner Dawnlee Vaughn and Commissioner Tim Young was approached. She did not make the decision unilaterally and would never do something like that. She would like the Chief to add their names to the report.

The Chief stated he would.

Commissioner Cupples then addressed the traffic issue at the primary school which was in the draft minutes that Valerie Salla provided for the Board. She questioned if anyone talked to the School District about fixing this problem. She knows at the Planning Commission meeting this was addressed and it may be two (2) to three (3) years before that plan gets moving. She wants the problem addressed because it is not safe to have three (3) lanes of traffic in two (2) lanes.

Mr. Macino stated we know the Chief was going to talk to Officer Elway about options we may have there and did not know where we are at with this.

Chief Campbell stated Sgt. Sabin went down and looked at this and talked to the school. There are plans to make changes with the School and the School did not let us know what the changes were or what the timeline was. It may be a budget issue but was not sure. There has been no progress with this after Sgt. Sabin spoke to the school.

Commissioner Cupples stated the parents are coming to pick up their children early and they are lining up and for a half an hour, they are sometimes almost all the way down to the ballfield.

Commissioner Vaughn questioned if this was just for the primary school and not the high school.

Commissioner Cupples stated it is for the primary school. People are taking up two lanes.

Commissioner Chiurazzi advised the manager and assistant manager to follow up with the school district and tell them the Commissioners are really concerned about this and they have to come up with something. This is a safety issue for Collier Township.

K. Public Works

Commissioner Cupples stated Public Works is still waiting for their annuity and questioned what is being done about it. The Township was to write a letter.

Mr. Macino stated he and Mr. Hinds spoke to them and we are down to getting legal advice on this now.

Commissioner Cupples stated this has been since July and she was sure Public Works would like the money for the Christmas holiday and advised management to do what they can. Public Works was promised their money they had already put into this when they ended the contract and they still have not received it.

Commissioner Chiurazzi questioned who did this.

Mr. Macino stated that Mr. Hinds is not here, but it was part of Prudential, but that portion of that annuity was absorbed by Empower, which is a different investment group. We have been in touch with them numerous times and haven't had much success getting the guys their money. They have three (3) options. They can reinvest it with Empower or take it and reinvest it somewhere else or they can take the distribution and pay taxes on it. They want to know what they have to do so they can make the decision. Today it was determined that we would ask the Solicitor to get involved.

Commissioner Chiurazzi stated this is not a Collier issue. They have a Union. He doesn't mind helping and wants to help but it is not a Collier issue.

Commissioner Cupples and Mr. Macino stated we pay part into it. We have investment in that money.

Commissioner Chiurazzi questioned if it is a teamster's type of thing.

Mr. Macino stated the guys have tried to call Empower.

Commissioner Chiurazzi stated we are doing this as a courtesy.

Mr. Macino stated they are our employees and the agreement and decision we made was to get involved and try to help them get their money. We made the distribution through the deposits for them. It comes through a payroll deduction. We are involved in it and that is why we have elected to see what we can do to help.

Commissioner Vaugh stated the Public Works Director, Bob Palmosina, on Thanksgiving was getting text messages asking when leaves will be picked up. What can be done so that is not happening? He should not be bothered on Thanksgiving. We know he gives his cell phone number out but is there a way we can stop this. Maybe change his phone number. No one should be bothered on Thanksgiving about when will their leaves get picked up. What are the options. He received multiple text messages from residents. It is not an emergency.

Mr. Macino stated he was not aware of this and will look into it.

Commissioner Chiurazzi stated this is totally inappropriate and why do the residents have his cell phone number.

Mr. Macino stated Mr. Palmosina is free with his number and he is well known and people probably pass his number around. He was not aware this was happening. We do have a leaf pick up program. People rake their leaves and our guys go get them. Our guys do not work on Thanksgiving and they are not working overtime to go pick up leaves on Thanksgiving. He will look into this.

Commissioner Cupples stated Mr. Palmosina was off today and she got a text from him that he got 11 texts today about leaves. She feels bad that someone can not enjoy their vacation time off or being off on a holiday. This should not

happen and she understands he gives his phone number out. We have some suggestions and we can talk about them. Changing his number, send out an email stating the Township is closed and if there is an issue to call on Monday. Maybe people would understand. Texting or calling him was inappropriate.

Commissioner Chiurazzi stated it is so inappropriate to contact him on his cell phone on any day. We need to stop this. He should not give out his phone number because people will call you.

Mr. Macino stated we can send out the leaf pick up program and also re-post it again. Hopefully the residents will pay attention. He will talk to Mr. Palmosina.

Commissioner Chiurazzi stated the point is the Public Works Director is not at the beck and call of the residents. He is at the beck and call of the Township. If he gives his phone number out to residents, he should be careful of this.

L. Sewer Department

Commissioner Chiurazzi asked for a motion to accept all the reports by the Directors.

Motion was made by Commissioner Vaughn, 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. 112723-01; A Resolution to adopt the Collier Township Emergency Operations Plan.

Motion was made by Commissioner Styche, seconded by Commissioner Chiurazzi, to approve Resolution 112723-01 as stated above. By unanimous vote, the motion passed.

2. Consider action to adopt Ordinance 731; An Ordinance amending Chapter 18, Section 601 of the Township Code of Ordinances to provide that the Township Manager is the executive official directly in charge of the sewer department.

Commissioner Chiurazzi questioned if this is normal.

Mrs. Diersen stated this is correcting the language when the sewer department was set up, it was arranged differently and now we are correcting the language. It was currently written as Public Works and now it is the Manager.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Styche, to adopt Ordinance 731 as stated above. By unanimous vote, the motion passed.

3. Consider action to approve bond reduction request #3 for Amalfi Ridge Phase 4. Township Engineer LSSE has reviewed the request and recommends the Township reduce the bond amount from \$239,684.50 to \$46,508.00, which is 110% of the total cost for the remaining improvements.

Motion was made by Commissioner Chiurazzi, seconded by Commissioner Vaughn, to approve the bond reduction request #3 for Amalfi Ridge Phase 4 as stated above. By unanimous vote, the motion passed.

4. Consider action on Resolution 112723-02; A Resolution for Collier Township's application for the Local Share Account Statewide Grant Project; Collier Township Nevillewood Woodhall Pond Stormwater Retrofit for \$111,150.00.

Commissioner Cupples questioned where this was.

Commissioner Chiurazzi stated Woodhall is off Nevillewood Drive. The ponds are behind the homes on the right-hand side.

Commissioner Young questioned if the ponds drain onto Boyds Run Road.

Mr. Stanczyk stated he did not know the answer to this. The background on this is the previous engineer put together a PRP(Pollutant Reduction Plan) for the MS4 Program and permit. Part of that plan was to retrofit those ponds and make them more functional and to remove sedimentation from the outlets of the ponds. This is just to apply for the grant to perform that work.

Commissioner Cupples questioned who owns those ponds. The HOA or the Township.

Mr. Stanczyk stated he was not sure, but they were identified in the PRP to be owned by the Township. There has been discussion back and forth, but Mr. Palmosina is the one that decided this pond is the one the Township needs to apply for the grant.

Mr. Caun stated we own the pond. The only ponds the Township owns throughout the Township are Nevillewood's and there are 7 or 8 of them. This was done through an agreement back in the 1990's. We took ownership of those ponds.

Commissioner Cupples stated the Township owns the one at the end of Marigold.

Mr. Caun stated that is the Township's pond.

Motion was made by Commissioner Styche, seconded by Commissioner Vaughn, to approve Resolution 112723-02 as stated above. By unanimous vote, the motion passed.

5. Consider action to approve the 2024 Sewer Usage Rate of \$17.66 per thousand gallons of wastewater used and monthly service charge of \$8.64.

Commissioner Young stated this starts January 1, 2024.

Motion was made by Commissioner Styche, seconded by Commissioner Chiurazzi, to approve the 2024 Sewer usage Rates as stated above. By unanimous vote, the motion passed.

VI. Approval of the transfer of \$260,000.00 from the General Fund Account to the Capital Fund Checking Account.

Motion was made by Commissioner Styche, seconded by Commissioner Vaughn, to approve the transfer of funds 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 November 14, 2023, to November 27, 2023:
 - General Fund in the amount of \$87,495.95,
 - Capital Fund in the amount of \$2,449.00, and
 - Sewer Fund in the amount of \$21,974.44.

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

VII. Adjourn

Commissioner Chiurazzi stated the Board decided to have a reorganization meeting on January 8, 2024. There is a public hearing that night.

Commissioner Cupples questioned what the public hearing was for.

Mr. Caun stated it is for a liquor license transfer for a restaurant in the Chartiers Valley Shopping Center. The time of the hearing has not been set yet. The date and time will be on the December 11, 2023 meeting.

Mr. Macino questioned how the Board wants to do this because Commissioner Vaughn also needs sworn in that night. Does the Board want both Commissioners sworn in on the 8th before the public hearing.

The Board stated yes.

Mr. Macino stated we will start the re-organization meeting at 6:00PM and the Public Hearing will be held at 6:30PM.

Commissioner Chiurazzi stated to check with Judge Desmet and let the Board know if there is an issue.

Motion was made by Commissioner Vaughn, seconded by Commissioner Styche, to adjourn the meeting at 7:41 p.m. By unanimous vote, the motion passed.

Wayne M. Chiurazzi – President
Board of Commissioners

Valerie A. Salla
Township Secretary