

## MINUTES

### BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

DECEMBER 14, 2015

John Curtaccio, Chairman, called the regular meeting of the Board of Supervisors, located in the Municipal Building, 1300 Brighton Road, to order at 7:02 P.M. Eight (8) visitors were present.

PRESENT:           John Curtaccio – Chairman  
                  James E. Equels, Sr. – Vice Chairman  
                  Mark Piccirilli – Supervisor  
                  Bryan K. Dehart - Manager/Secretary  
                  Harold F. Reed, Jr., Esq. – Township Solicitor  
                  Ned Mitrovich, P.E. - Township Engineer

**Public Comment – Agenda Items:** None.

**Minutes of November 9, 2015 Regular Meeting:** Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the November 9, 2015 Regular Meeting.

The following **November Reports** were read by Mr. Dehart except as noted:

- A.     Treasurer's Report
- B.     Building Permit Report
- C.     Road Department Report
- D.     Police Department Report – given by Chief Howard Blinn
- E.     Fire Department Report – given by Asst. Chief Kevin Crawford

Assistant Chief Kevin Crawford reported that there was a hazmat incident on McKenney Drive. A family was cleaning out the contents of a house and came across a container of ammonium cyanide. Beaver County Hazmat would not respond. As instructed by a private hazardous material collection company, the Brighton Township Volunteer Fire Department sealed the chemical in plastic bags until collected by the company. Assistant Chief Crawford explained that if the container had broken open, an evacuation may have been necessary.

- F.     Report of Tax Collectors
- G.     Report of Fines
- H.     Recycling Report

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the November Reports as submitted.

**Bids for Sale of Police Vehicle:** At the October meeting the Board authorized the sale of the 2011 Ford Crown Victoria. Bid opening will be January 11, 2016.

**Sale of Fire Truck:** At the October meeting the Board authorized the sale of the 1994 Pierce Dash pumper to the Harmon Volunteer Fire Department (Illinois) in the amount of \$60,000. This sale is pending. Assistant Chief Kevin Crawford will contact Harmon Volunteer Fire Department to update the status of the sale.

**Purchase of New Fire Engine:** The Fire Department has been preparing specifications and evaluating new fire engines for purchase during 2016. The truck is intended to replace the 1994 Pierce that has been authorized to be sold and the 1997 Pierce that is still in service. The Fire Department is prepared to make their recommendation on the purchase.

Assistant Chief Kevin Crawford presented a contract from Glick Fire Equipment Co., Inc. for a Pierce Quantum top mount 2<sup>nd</sup> gen pumper. The contract price is \$743,476.00. There are two options available. One option offers a prepayment discount if the chassis portion of \$376,160.08 is paid prior to completion of the apparatus, resulting in a decrease in price of \$10,956.00. The second option offers a discount of \$30,035.00 if the total “contract price” is paid in full within 30 days of receipt of the P.O. at the factory. This offer includes the discount of \$10,956.00 for the previously-offered option. This is a Co-Stars contract.

This new engine will be housed at Station 3. It will take approximately 8-10 months to build the pumper. There will also be a 3% price increase effective 1-25-16. The Board will consider action on this recommendation at their January meeting.

**2015 Roadway Improvement Program:** The Board has awarded Contract No. 15-R01 the 2015 Roadway Improvements Program Contract B to Youngblood Paving, Inc. in the amount of \$315,710. Change Order No. 1 for Contract No. 15-R01 2015 Roadway Improvement Program Contract B – Liquid Fuels has been prepared to extend the completion date to May 27, 2016. The Township Engineer reported that the work would start no later than May 1, 2016.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and execute Change Order No. 1 for Contract No. 15-R01 2015 Roadway Improvement Program Contract B – Liquid Fuels to extend the completion date to May 27, 2016.

**2015 Roadway Scratch & Leveling Program:** The completion date for Contract No. 15-R02 the 2015 Roadway Scratch & Leveling Program Contracts A & B to Youngblood Paving, Inc. in the amount of \$143,740 has been extended to May 30, 2016.

**2016 Roadway Improvement Program:** The goal is to open bids for the 2016 Roadway Improvement Program at the February meeting, with contract award in March. Based upon the Fall road inspection, the preliminary list of roads to be included are Sebring Road from 520 Sebring Road to the intersection of Highland Woods Drive/Mudlick Hollow Road, Virginia Drive, Allen Drive and Pinkerton Drive, with Woodridge Drive and Lake Drive as add/alternates in the bid documents. The Engineer presented cost estimates and possible contract groupings.

The Road Department has recently done core samples on the roads. The Engineer will evaluate that information and update the cost estimates for the January meeting.

**Adoption of 2016 Budget:** The 2016 Budget has been advertised for adoption. The Board previously reviewed the budget at the October 12<sup>th</sup> and November 9<sup>th</sup> meetings.

The following Resolutions need to be adopted in order to adopt the 2016 Budget and tax levies:

**Resolution No. 2015-25:** Adopting the 2016 Budget as follows: General Fund \$3,915,890; Capital Reserve Fund \$1,653,030; State Aid Fund \$524,810; and Police Pension Fund \$1,836,266.

Mr. Equels made a motion, seconded by Mr. Piccirilli to adopt Resolution No 2015-25 adopting the 2016 Budget as follows: General Fund \$3,915,890; Capital Reserve Fund \$1,653,030; State Aid Fund \$524,810; and Police Pension Fund \$1,836,266.

**Resolution No. 2015-26:** Real Estate Tax Levy of 11.0 mills.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adopt Resolution No. 2015-26: Real Estate Tax Levy of 11.0 mills.

**Resolution No. 2015-27:** Earned Income Tax Levy of 1.0%.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adopt Resolution No. 2015-27: Earned Income Tax Levy of 1.0%.

**Resolution No. 2015-28:** Per Capita Tax Levy of \$5.00.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adopt Resolution No. 2015-28: Per Capita Tax Levy of \$5.00.

**Resolution No. 2015-29:** Amusement Tax Levy of 5.0%.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adopt Resolution No. 2015-29: Amusement Tax Levy of 5.0%.

**Resolution No. 2015-30:** Local Service Tax Levy of \$47 Brighton Township/\$5.00 Beaver Area School District.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adopt Resolution No. 2015-30: Local Service Tax Levy of \$47 Brighton Township/\$5.00 Beaver Area School District.

**Resolution No. 2015-31:** Real Estate Transfer Tax Levy of 0.5%.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adopt Resolution No. 2015-31: Real Estate Transfer Tax Levy of 0.5%.

**Township Greenways and Trails Network Plan:** The second community-wide public meeting for the Greenways and Trails Plan was conducted on September 28<sup>th</sup>. The plan will be concluded over the next several months and prepared for adoption.

**Hardy Field Lower Parking Lot Improvements:** The Board previously awarded contracts for this project as follows:

Concrete Work – Russell Reed Contracting: This contract is complete.

Paving of Parking Lot & Walking Trail: A contract in the amount of \$86,400 (\$83,900 base bid plus bond costs of \$2,500) has been executed with Youngblood Paving, Inc. The parking lot has been paved. Partial Payment No. 1 has been submitted for approval as follows:

Contract Amount:	\$86,400.00
Work Completed:	\$38,542.40
Amount Retained (5%):	<u>(\$1,927.12)</u>
Payment Due:	\$36,615.28

Balance to Finish: \$49,784.74

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Partial Payment No. 1 in the amount of \$36,615.28.

Change Order No. 1 for the Hardy Fields – Paving Contract has been prepared to extend the completion date to May 27, 2016. The Township Engineer reported that the work would start no later than May 1, 2016.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve and execute Change Order No. 1 for the Hardy Fields – Paving Contract to extend the completion date to May 27, 2016.

**Public Works Garage Site Project:** This project to pave the area around the public works garage is under preliminary review. There are several goals to be achieved with this project.

1. The project separates the water runoff from the yard waste site from the stormwater collection system to pre-treat it prior to discharge to the stormwater basin. This is an MS4 compliance item.
2. The overall stormwater control will be improved to direct runoff to the proper collection points. The site was never properly graded or paved when constructed.
3. The road to the park will be clearly defined and control the flow of traffic to the park area – Two Mile Run Park Extension.
4. The fuel system is relocated to accommodate the new traffic flow design.

The Township has received grant funding of \$36,587 to be used toward the paving. These funds are to be expended by April 15, 2017.

The Engineer explained that the project has been divided into two stages. In 2016 the focus will be the recycling area and relocating the fuel tanks. This will bring the area into MS4 compliance. In 2017 the focus will be to extend the paving downstream.

**Subdivision and Land Development Waiver Request for Tower Based Wireless Communication Facility:** Matt Walker of Elevated Properties LLC attended the October Planning Commission meeting to discuss a future application for the construction of a new communications tower on the property of William Sheerin, located on Dutch Ridge Road. A formal application has not yet been submitted. However, Mr. Walker has submitted documents to support their position that a waiver from a subdivision application is warranted. The Board has been asked to make a determination on this request.

Mr. Walker of Elevated Properties LLC was present to discuss concerns of the Board. The Solicitor recommended the Board grant a waiver of subdivision requested based upon his review of the documentation that has been submitted.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to grant a waiver of the subdivision application process for a tower based wireless communication facility to be proposed by Elevated Properties LLC on the property of William Sheerin, located on Dutch Ridge Road.

**Smyda Plan of Subdivision – A Subdivision of Lot No. 2:** This plan subdivides an existing property into two lots. The application indicated that each lot was for the construction of a duplex. A common access was also shown on the original application plan. Subsequently, the applicant has advised that each lot is for a single-family home, and the common access has been eliminated. A site plan has been prepared by Pringle-Nero Land Surveying, Inc. dated October 22, 2015. Also presented were the Township Engineer's review letters dated November 2 and December 10, 2015, the Brighton Township Sewage Authority Engineer's review letter of November 13, 2015 and the Beaver County Planning Commission review letter dated November 12, 2015. An extension of the public sewer will be required to service the lots.

The Planning Commission, at their meeting of December 7, 2015, recommended plan approval subject to:

1. Compliance with the review comments of the Brighton Township Sewage Authority Engineer's review comments of November 13, 2015 requiring the applicant to enter into a Developer's Agreement with the BTSA and the posting of financial security.
2. PA DEP Sewage Planning Module postcard waiver approval.
3. The addition of a private easement to provide access to public sewage for the adjacent property identified as Lot No. 3 in the Joseph E. Smyda Plan No. 3.

The applicant has advised that he does not agree to the request of providing a private

easement to the benefit of Lot No. 3 in the Joseph E. Smyda Plan No. 3. The Township Solicitor advised the Board that this requirement cannot be a condition of plan approval.

The Township Solicitor explained that the two (2) proposed lots will have their own access to public sewer when the line is extended.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Smyda Plan of Subdivision, A Subdivision of Lot No. 2 in the Joseph E. Smyda Plan No. 3 as prepared by Pringle-Nero Land Surveying, Inc. dated October 22, 2015, last revised December 7, 2015, subject to:

1. Compliance with the review comments of the Brighton Township Sewage Authority Engineer's review comments of November 13, 2015 requiring the applicant to enter into a Developer's Agreement with the BTSA and the posting of financial security.
2. PA DEP Sewage Planning Module postcard waiver approval.

**Plan of Lot Revision for Crumrine & Tusca Area Reformed Church:** Application has been filed for the Plan of Lot Revision for Richard S. & Margaret H. Crumrine and Tusca Area Reformed Presbyterian Church. The subdivision conveys Parcel "A" (0.841 acre) from the Richard S. and Margaret M. Crumrine property to the Tusca Area Reformed Presbyterian Church. Parcel "A" is to become an integral part of the existing property of the church, creating a lot of 1.463 acres. The Lot 1 Residual (15.87 acres) Crumrine property has a single family home. The Board was provided a copy of the site plan and the Township Engineer's review letter of October 16, 2015 and December 10, 2015 and the review comments of the Beaver County Planning Commission dated November 18, 2015. The Planning Commission, at their meeting of November 2, 2015 recommended plan approval subject to compliance with the review comments of the Township Engineer. The Township Engineer had no objections to the final plan as revised.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Crumrine Lot Consolidation Plan. This motion was later expunged as it was an incorrect motion.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Plan of Lot Revision for Richard S. & Margaret H. Crumrine & Tusca Area Reformed Presbyterian Church as prepared by Pringle-Nero Land Surveying, Inc. dated September 23, 2015 and last revised November 19, 2015.

**Crumrine Lot Consolidation Plan:** A lot consolidation plan has been filed to consolidate lots 202 and 203 in the Crumrine Plan No. 2. The property is located at the corner of Tuscarawas Road and Darlington Road. The following documents were provided to the Board: A copy of the site plan prepared by Pringle-Nero Land Surveying, Inc. dated October 26, 2015, the Township Engineer's review letters dated November 2 and December 10, 2015 and the Beaver County Planning Commission review letter dated November 12, 2015. The PA DEP Sewage Planning Module for the on-lot system has been approved. The Planning Commission, at their meeting of November 2, 2015 recommended plan approval.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Crumrine Lot Consolidation, A Consolidation of Lots 202 & 203 in the Crumrine Plan No. 2 as prepared by Pringle-Nero Land Surveying, Inc. dated October 26, 2015 and last revised November 19, 2015.

**Aspen Fields Plan of Lots Phase III:** At the November 10, 2014 meeting the Board granted preliminary plan approval to Maronda Homes, Inc. for Phase III in the Aspen Fields Plan of Lots. The phase consists of 29 new building lots. At the October meeting the Board approved execution of the mylar and final plan recording for Phase III in the Aspen Fields Plan of Lots, subject to posting of the required financial security in an amount approved by the Township Engineer. The Township Engineer has calculated the required bonding as \$287,402.50. Maronda Homes has posted bonding in this amount. Maronda Homes has also provided bonding to the Brighton Township Sewage Authority and Brighton Township Municipal Authority in the amounts required. The plan will now be recorded.

**Additional Business:** The Township Manager advised that a logging permit application has been received from Taylor Logging for the Logan and Wilson properties on Kerr Drive. Everything is in order. Excess Maintenance Agreement 2015-03 has been prepared for Bob Taylor of Taylor Logging and will need to be approved. The Agreement is for Neville Road which will be the haul route. The required bonding has been posted.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Excess Maintenance Agreement 2015-03 with Bob Taylor of Taylor Logging.

**Public Comment:** Ron Terrazanno of 4270 Dutch Ridge Road would like to sell a piece of his property across from the Social Hall to the Township. Mr. Terrazanno said the piece of property has a flat area near the road and a meadow that could be developed into a park area. Beverly Pietrandrea, his realtor, was also in attendance. Mr. Terrazanno suggested that this could be the beginning of a bicycle and/or hiking trail that would follow the Two Mile Run Creek corridor.

The Township Manager explained that an appraisal of the property will need to be done. The Township Solicitor will check the assessed value of the parcel.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to **Ratify the November Bills List.**

**Adjournment:** Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adjourn the meeting at 8:15 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Secretary