

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

MARCH 14, 2016

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. Five (5) 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 the February 8, 2016 Regular Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the February 8, 2016 Regular Meeting.

The following **February 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
- 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 February Reports as submitted.

Resolution No. 2016-09 Alternate Zoning Hearing Board Appointment: This Resolution re-appoints John Raught, 655 Sebring Road as an alternate member of the Zoning Hearing Board for a term ending December 31, 2018.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2016-09 appointing John Raught as an alternate member of the Zoning Hearing Board for a term expiring December 31, 2018.

Personnel Actions: **Revised Police Department Job Descriptions:** The job descriptions for Sergeant of Police and Corporal of Police have been revised, and a job description for Captain of Police has been prepared. Messrs. Dehart and Blinn recommended that the Board adopt the job descriptions.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the job descriptions for Captain of Police, Sergeant of Police and Corporal of Police for the Brighton Township Police Department.

Seasonal Employment – Each year the Board approves the hiring of seasonal employees. The following employees, all of which have been employed by the Township during previous summers, were presented for consideration:

Wilbert (Bud) Huffman, 184 Maple Drive - \$11.50 per hour – crew leader;
Edward C. Orlo, 1250 Neville Road - \$11.00 per hour;
William E. Brightwell, 300 McKinley Road, Beaver Falls - \$10.50 per hour;
Brice Hodge, 256 Edgewood Drive - \$9.50 per hour; and
Allyson Dehart, 495 Barclay Hill Road - \$9.50 per hour.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the hiring of seasonal employees and approving the rates of compensation for the 2016 season as listed.

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.

Asst. Chief Kevin Crawford reported that the BTVFD has had some email contact with the Harmon Volunteer Fire Department. The Harmon Volunteer Fire Department is still waiting on the State of Illinois to release the funds in order to purchase the fire truck. BTVFD will wait a few weeks and then reevaluate the status of sale of the fire truck.

Authorize Participation in the 2016 BCRCOG Spring Commodities Bid: Each year the Board authorizes the Township's participation in the Beaver County Regional COG Spring Commodities Bid. Mr. Dehart said he reviewed the bid sheets with the Road Foreman and they are recommending that the Township include the following estimated quantities in the bid estimate:

| | |
|---------------------------------|---------------|
| River Gravel Size No. 57 | 200 Tons |
| Limestone Size No. 2A | 1,500 Tons |
| Limestone Size No. 8 | 1,500 Tons |
| Limestone Size No. 1 | 400 Tons |
| Limestone Size No. R4 | 100 Tons |
| Liquid Asphalt – E-1 Prime | 5,000 Gallons |
| Liquid Asphalt – MC 70 Road Oil | 5,000 Gallons |

| | |
|---------------------------------|----------------|
| Liquid Asphalt – CRS-2 (E-3) | 30,000 Gallons |
| Liquid Asphalt – CRS-2PM (E-3M) | 5,000 Gallons |
| Ultra-Low On-Road Diesel Fuel | 16,000 Gallons |
| Unleaded Gasoline (87 Octane) | 6,000 Gallons |

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize participation in the 2016 BCRCOG Spring Commodities to include the estimated quantities listed above.

Award Bid for the 2016 Roadway Improvement Program: As previously authorized, bids for the 2016 Roadway Improvement Program Contract No. 16-R01 were opened March 9, 2016. The Engineer reviewed the bid tabulation as follows:

| Contractor | Contract A Bid Amount | Contract B Bid Amount | Contract C Bid Amount |
|-----------------------------------|------------------------------|------------------------------|------------------------------|
| Youngblood Paving, Inc. | \$252,675.00 | \$283,350.00 | \$342,425.00 |
| A. Liberoni, Inc. | \$262,059.52 | \$292,242.90 | \$350,449.08 |
| Mele & Mele & Sons, Inc. | \$272,614.28 | \$323,955.54 | \$377,558.07 |
| Shields Asphalt Paving, Inc. | \$282,900.00 | \$321,100.00 | \$391,200.00 |
| El Grande Industries, Inc. | \$287,975.00 | \$324,381.25 | \$391,642.50 |
| Protech Asphalt Maintenance, Inc. | \$312,715.00 | \$350,688.75 | \$422,627.50 |

Youngblood Paving, Inc. was the low bidder for all three (3) contract options. Mr. Mitrovich recommended that the Board award the bid to Youngblood Paving, Inc. for Contract C, which includes the following roads for paving: Virginia Drive; Allen Drive; Pinkerton Drive; Sebring Road (520 Sebring Road to intersection of Highland Wood Drive/Mudlick Hollow Road); Woodridge Drive and Lake Drive.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to award the bid for Contract No. 16-R01 to Youngblood Paving, Inc. for Contract C in the amount of \$342,425 and to authorize the Township Engineer to prepare the contract documents and authorizing their execution by the Board and other officials upon receipt.

Accept Proposal of Jeffrey Associates for Playground Installation: The Board previously authorized the purchase of additional playground equipment and rubberized surface for installation at Hardy Field. A proposal from Jeffrey Associations in the amount of \$6,670 has been received for the installation.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the proposal from Jeffrey Associates in the amount of \$6,670 to install the playground equipment with rubberized surface at Hardy Field.

Authorize Purchase of Water-Reel Irrigating System: The 2016 budget includes funding for the purchase of a water-reel irrigating system for use in the Township parks. The

Township Engineer has prepared a specification and request for quotations. The Engineer presented a tabulation of the quotations as follows:

| Contractor | Bid Amount |
|------------------------------|-------------------|
| Baker Vehicle Systems, Inc.* | \$7,573.75 |
| SiteOne Landscape Supply** | \$9,739.39 |
| EH Griffith, Inc. | \$10,994.22 |

*Baker Vehicle Systems, Inc. withdrew their bid by letter of February 9, 2016.

**SiteOne Landscape Supply did not use the supplied itemized table for bid proposal but items/required equipment match.

The Township Engineer recommended awarding the bid to SiteOne Landscape Supply.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the purchase of a water-reel irrigating system from SiteOne Landscape Supply in the amount of \$9,739.39.

2015 Roadway Improvement Program: The completion date for Contract No. 15-R01 the 2015 Roadway Improvements Program Contract B to Youngblood Paving, Inc. in the amount of \$315,710 has been extended 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.

The Township Engineer will prepare the required documents and contact Youngblood Paving to schedule a Pre-Construction meeting for all contracts.

Public Works Garage Site/Two Mile Run Park Access Project: At the January meeting the Board authorized the Township Engineer to prepare design drawings and prepare any required permitting for this project. The project includes site grading, stormwater management, paving and relocation of the fueling system. This project is progressing.

Mr. Mitrovich reported that representatives of LSSE met with the Township Manager and Road Foreman at the Public Works Site. After that meeting a few modifications were incorporated into the site plan. Mr. Mitrovich reviewed the site plan with the Board. At the April meeting, he plans to request authorization for the bidding process.

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.

Hardy Field Parking Lot & Walking Trail Paving: A contract in the amount of \$86,400 has been executed with Youngblood Paving Inc. The Balance to Finish is \$49,784.74. The completion date has been extended to May 27, 2016.

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

Mr. Dehart stated that he spoke with John Buerkle of Pashek Associates. Mr. Buerkle is obtaining cost estimates for environmental assessments to incorporate into the plan. A meeting is to be scheduled with the Study Committee within the next month.

Refuse Contract Cost Adjustments: The refuse contract began July 1, 2015 with a base rate of \$11.08. The contract contains an Escalation Clause for Tipping Fee. The disposal fee at the recycling center has increased \$2 per ton resulting in a fee increase of \$0.02 per month. A one-time charge of \$0.08 will be permitted for the four month period beginning December 1, 2015 and ending March 31, 2016. Based on the calculations, the new rate will be as follows:

| | |
|---|------------|
| Base Rate July 1, 2015 to June 30, 2016 | \$11.08 |
| Recycling Fee escalation effective October 1, 2015 | \$ 0.05 |
| Recycling Fee escalation effective December 1, 2015 | \$ 0.02 |
| Fuel Cost Adjustment calculated effective January 1, 2016 | (\$ 0.08) |
| Monthly Refuse Rate effective March 1, 2016 | \$11.07 |
| Quarterly Refuse Rate effective March 1, 2016 | \$33.21 |

A one-time charge of \$0.08 will be permitted with the March 1, 2016 billing for the recycling center fee increase effective December 1, 2015.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Refuse Fee of \$11.07 per month/\$33.21 per quarter effective March 1, 2016 and authorizing a one-time fee of \$0.08.

Conditional Use Application for Tower Based Wireless Communication Facility: On February 22, 2016 the Board of Supervisors conducted a public hearing on the Conditional Use application filed by Elevated Properties LLC, 3829 Hilltop Drive, Gibsonia, PA 15004 on behalf William B. & Sandra Kay Sheerin, 110 Cranston Drive, Moon Township, PA 15108 owners of 4270 Dutch Ridge Road, being Tax Parcel No. 55-152-0135.000. By letter of January 21, 2016 William B. and Sandra Kay Sheerin authorized the application of Elevated Properties, LLC. The application is for approval of a Tower-based wireless communication facility under the provisions of Zoning Code Section 195-135 Wireless Communication Facilities.

At their meeting of March 7, 2016 the Brighton Township Planning Commission recommended that the Board of Supervisors grant conditional use approval to Elevated Properties LLC for the construction of a Tower Based Wireless Communication Facility (WCF) as shown on their application submitted January 8, 2016 and supplemented February 5, 2016, subject to Conditions of Approval that are listed within the March 17, 2016 Memorandum from Jeffrey S. Maze, Chairman. A copy of that document was provided to the Board for consideration. Mr. Dehart reviewed the conditions as set forth by the Planning Commission.

Matt Walker of Elevated Properties was in attendance and stated that the documents are in place for all the conditions except for the PENN D.O.T. Highway Occupancy Permit and the financial security. All conditions will be met by the time the permit application is submitted.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Conditional Use application of Elevated Properties for a Tower Based Wireless Communication Facility, subject to the requirements of the Planning Commission set forth as follows:

Pursuant to this approval, the Applicant agrees that the Tower Based WCF site and facility shall be developed, constructed and maintained in compliance with Brighton Township Zoning Code, Section 195-135 Wireless Communication Facilities. The applicant further agrees that this approval is subject to the following specific conditions:

1. The Applicant agrees that the Tower Based WCF site and facility shall be developed, constructed and maintained in compliance with Brighton Township Zoning Code, Section 195-135 Wireless Communication Facilities.
2. The access driveway to the lease site shall have a gate installed to prevent unauthorized access to the site. The property owners (William & Sandra Sheerin) shall agree upon the location of the gate.
3. The applicant shall secure and provided documentation of an approved Penn D.O.T. Highway Occupancy Permit for the access driveway at Dutch Ridge Road prior to securing a building permit for the construction of the Tower Based WCF.
4. Section 195-135 B(5) – Aviation safety and lighting – Applicant states that no lighting is necessary and will not be installed. In the event regulation requirements change in the future and federal or state law requires lighting, lighting shall be red in nature and not a white strobe. In the event a white strobe is required, it should have a reflector installed to direct the light strobe upwards.
5. Section 195-135 B(8) – Signs – Applicant stated that they will comply with this section, however, no documentation has been provided. Applicant shall provide documentation of how they intend to comply with the requirements of this section as part of their application for construction permits.
6. Section 195-135 B(13) – Financial security – The Applicant has agreed to provide to the Township at the time of zoning or construction permit application the required financial security that is sufficient to guarantee the removal of the Tower Based WCF.
7. Section 195-135 B(15) –Indemnification – The Applicant has agreed to provide to the Township at the time of zoning or construction permit application the required Indemnification that meets the requirements of this Section. The written indemnification shall be subject to the approval of the Township Solicitor.

8. Section 195-135F(13) – Noise – The Applicant shall operate the site so as not to produce noise in excess of the standards set forth in Township Code, Section 195-137.13.
9. Section 195-135F(16) – The Applicant agrees that the site shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair; and to maintain the site to ensure the upkeep of the Tower Based WCF in order to promote the safety and security of the Township's residents and utilize the best available technology for preventing failures and accidents.

Mr. Curtaccio thanked Mr. Walker for coming to the meeting.

Smyda Plan of Subdivision – A Subdivision of Lot No. 2 in the John A., Sr. & Druzilla Wilson and Joseph E. Smyda, Trustee Plan: This is a two (2) lot subdivision on Dutch Ridge Road. Lot No. 2A is proposed as a new building lot and Lot No. 2 Residual of 59.142 acres has the existing single-family home of the applicant. The Board was provided a copy of the plan of subdivision prepared by Pringle-Nero Land Surveying, Inc. dated January 14, 2016, the Township Engineer's review comments dated February 17, 2016, the BTSA Engineer's review comments dated March 1, 2016 and the Beaver County Planning Commission review comments dated February 19, 2016.

At their meeting of March 7, 2016 the Brighton Township Planning Commission recommended approval of the Smyda Plan of Subdivision – A Subdivision of Lot No. 2 in the John A., Sr. & Druzilla Wilson and Joseph E. Smyda, Trustee Plan as prepared by Pringle-Nero Land Surveying, Inc. dated January 14, 2016 subject to:

1. Compliance with the Township Engineer's review comments dated February, 17, 2016;
2. PA DEP Sewage Planning Module approval; and
3. PA D.O.T. Highway Occupancy Permit approval for the driveway.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Smyda Plan of Subdivision – A Subdivision of Lot No. 2 in the John A., Sr. & Druzilla Wilson and Joseph E. Smyda, Trustee Plan as prepared by Pringle-Nero Land Surveying, Inc. dated January 14, 2016, subject to the conditions set forth by the Planning Commission.

Hunter's Ridge Plan of Lots Bond Release No. 7: A request has been made by Branthoover/Betters, LLC for a bond reduction of \$20,252 for the Hunter's Ridge Plan of Lots. The Township Engineer has reviewed the requested release, and is recommending a release of \$16,952. Thereafter, the remaining balance will be \$93,864.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Bond Release No. 7 for the Hunter's Ridge Plan of Lots in the amount of \$16,952 leaving a balance of \$93,864.

Ordinance - Grading and Excavating: The Township Engineer has prepared a proposed Grading and Excavating Ordinance that will be established as Chapter 104 of the Brighton Township Code. This ordinance is a revision to Article XIX in the Subdivision & Land Development Code. At their meeting of March 7, 2016 the Brighton Township Planning Commission recommended that the Board of Supervisors proceed with the adoption of the ordinance.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Solicitor to advertise the Ordinance to establish Township Code Chapter 104 - Grading and Excavating for adoption at the April 11, 2016 meeting.

Manual of Minimum Construction Standards and Details: The Township Engineer has updated the Township's construction standards and details that are currently contained within the Subdivision and Land Development Code. These construction standards and details will be adopted by Resolution and established as the manual of the Brighton Township Minimum Construction Standards and Details. The Resolution for adoption will be presented at the April 11, 2016 meeting.

Ordinance – Amending Chapter 173 Stormwater Management: The Township Engineer has prepared amendments to Chapter 173 Stormwater Management where references are made to the Township's Minimum Construction Standards and Details. Changes are also being made to incorporate the regulations for Small Development Stormwater Management Plans. At their meeting of March 7, 2016 the Brighton Township Planning Commission recommended that the Board of Supervisors proceed with the adoption of the ordinance.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Solicitor to advertise the Ordinance to amend Township Code Chapter 173 – Stormwater Management for adoption at the April 11, 2016 meeting.

Ordinance – Zoning Code Amendments: At the February meeting the Board of Supervisors authorized forwarding to the Beaver County Planning Commission a proposed ordinance to amend the Brighton Township Zoning Code. The ordinance was reviewed by the Brighton Township Planning Commission at their meeting of March 7, 2016. The Commission has recommended that the Board of Supervisors schedule the required public hearing on the ordinance to amend the Zoning Code and proceed with the advertisement of the ordinance for adoption.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to schedule a public hearing on the proposed ordinance on April 11, 2016 at 6:30 P.M. and to authorize the Township Solicitor to advertise the public hearing and the ordinance for adoption at the regularly scheduled April 11, 2016 meeting.

Ordinance – Subdivision and Land Development Code Amendments: At the February meeting the Board of Supervisors authorized forwarding to the Beaver County Planning Commission a proposed ordinance to amend the Brighton Township Subdivision and Land Development Code. The ordinance was reviewed by the Brighton Township Planning

Commission at their meeting of March 7, 2016. The Commission has recommended that the Board of Supervisors schedule the required public hearing on the ordinance to amend the Subdivision and Land Development Code and proceed with the advertisement of the ordinance for adoption.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to schedule a public hearing on the proposed ordinance on April 11, 2016 at 6:15 P.M. and to authorize the Township Solicitor to advertise the public hearing and the ordinance for adoption at the regularly scheduled April 11, 2016 meeting.

Additional Business:

The Township Manager explained that the Township uses various PLGIT accounts for Township funds. A new product is being offered called a PLGIT I Account. The PLGIT I Account has transfer limitations but pays a higher interest rate. Mr. Dehart requested authorization to sign forms that would create three (3) new PLGIT I Accounts – General Fund, Capital Fund and State Fund.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the Township Manager to sign forms to create the PLGIT I Accounts for the General Fund, Capital Fund and State Fund.

The Township Manager also reported that the Township holds a CD at Wesbanco Bank that is due to mature on March 20, 2016. The CD is for \$202,321.78 plus interest on the maturity date. Mr. Dehart requested approval to close out the CD and to deposit the funds in the Capital Fund. Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Manager to close out the CD at Wesbanco Bank and to deposit the funds in the Capital Fund.

Public Comment: None.

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

Adjournment: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adjourn the meeting at 7:59 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary