

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

JULY 13, 2015

John Curtaccio, Chairman, called the regular meeting of the Board of Supervisors, located in the Municipal Building, 1300 Brighton Road, to order at 7:00 P.M. Six (6) 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 June 8, 2015 Regular Meeting & June 22, 2015 Special Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the June 8, 2015 Regular Meeting & June 22, 2015 Special Meeting.

The following **June 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 Sergeant Pete Benedict
- E. Fire Department Report – given by Chief Joshua Curtaccio

Chief Curtaccio reported issues with Medic Rescue. The Fire Department is responding to calls that they do not normally handle because no ambulance is available. Medic Rescue often has no ambulance available for emergency service response. Brighton Township previously designated Medic Rescue as the primary response agency for ambulance service. Other municipalities are affected as well and, in his opinion, residents are being put at risk. Chief Curtaccio requested that the Board look into the situation with Medic Rescue and make contact with them if 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 June Reports as submitted.

Parks & Recreation Board Vacancy: Henry “Butch” Rousseau has submitted his resignation from the Park & Recreation Board. There are two (2) vacancies; one (1) member for a term expiring December 31, 2016 and one (1) member for a term expiring December 31, 2017. Patti Mick of 142 Northview Circle has stated her interest in serving on the Board.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the resignation of Butch Rousseau from the Parks & Recreation Board. Chairman Curtaccio asked that a letter of appreciation be sent to Mr. Rousseau to thank him for his years of dedicated service on the Parks & Recreation Board.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to appoint Patti Mick, 142 Northview Circle as a member of the Parks & Recreation Board for a term ending December 31, 2017.

Zoning Hearing Board Vacancy: There is a vacancy on the Zoning Hearing Board for one (1) member for a term expiring December 31, 2019. No candidates have expressed interest.

Authorize Participation in BCRCOG Winter Commodities Bid: The Beaver County Regional C.O.G. has requested estimated quantities for participation in the 2015/2016 Winter Commodities Bid. The Manager and Road Foreman have recommended the following for inclusion:

Rock Salt	1,600 Tons
Anti-Skid Type 3A	150 Tons
Cinders	600 Tons

The Township previously included 1,100 Tons of Rock Salt on the PA State Contract bid.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize participation in the BCRCOG 2015/2016 Winter Commodities Bid for the materials and estimated quantities as listed.

2015 Road Paving 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.

The Township Engineer reported that a preconstruction meeting was held on June 8, 2015 with Youngblood Paving. He advised that the anticipated start date for the paving program is mid to late July. Due to the weather, the contractor has been reworking their schedule.

2015 Roadway Scratch & Leveling Program: The Board has awarded Contract No. 15-R02 the 2015 Roadway Scratch & Leveling Program Contracts A & B to Youngblood Paving, Inc. in the amount of \$143,740.

The Township Engineer stated that the scratch & leveling program was also discussed at the June 8th preconstruction meeting. This contract is unique due to the need for a 30 day curing period. For this reason, the contractor may start the scratch & leveling program before the road paving program.

Resolution No. 2015-22 Approving a Penn D.O.T. Winter Maintenance Agreement:

The current five-year Agreement with Penn DOT for winter maintenance has expired. A new five-year Agreement has been submitted for Township approval. The Agreement is for Beaner Hollow, Brighton and Dutch Ridge Roads. Resolution No. 2015-22 authorizes approval and execution of the Agreement.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2015-22 approving and authorizing execution of a Winter Maintenance Agreement with Penn D.O.T.

Resolution No. 2015-23 Authorizing Disposal of Specified Records: The Board previously adopted the Municipal Records Manual providing the retention schedule for public records. Resolution No. 2015-23 authorizes the disposition of certain public records.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Resolution No. 2015-23 authorizing the disposition of the public records specified.

Township Greenways and Trails Network Plan: The last meeting of the Study Committee was on April 8, 2015. The next meeting will be conducted on July 28th at 7:00 P.M. in the Brighton Township Municipal Building.

Mr. Dehart told the Board that John Buerkle of Pashek Associates attended the July meeting of the Planning Commission and discussed methods to achieve the visions being established with the Greenways and Trails Plan. These include a Complete Streets Policy, a Conservation of Natural Resources Ordinance, Subdivision and Land Development Code provisions and the use of Conservation Easements. These policies and documents will be further reviewed and it is anticipated that the Board of Supervisors will be asked to give consideration to their implementation.

Hardy Field Location Agreement: The Township has been requested to enter into a Location Agreement with FNT Enterprises LLC for use of Hardy Field to film footage for the “Friday Night Tykes Western Pennsylvania” program. The Solicitor has been asked to review and provide comments on the proposed Agreement prior to approval by the Township.

The Solicitor reported that he reviewed the proposed agreement and that it is unacceptable because it is one-sided. Mr. Reed contacted the Solicitor representing Aliquippa and Hopewell. This Solicitor has been in contact with FNT Enterprises LLC but plans to recommend rejection of the agreement unless there are concessions. To date, no concessions have been proposed. The concern is for those who own facilities. At this time, no one has signed onboard in Beaver County. Mr. Dehart noted that the Township is not receiving any

financial benefit by approving the agreement. FNT Enterprises wants to start filming later this month.

After a discussion, the Board authorized the Township Solicitor to rewrite the entire agreement for submission to FNT Enterprises LLC.

Hardy Field Playground Installation: The Board has accepted proposals for the purchase and installation of playground equipment and rubberized surface at Hardy Field. The Township has removed the old equipment and prepared the area for the installation. The project has been delayed due to rain, but is expected to be underway this week.

Hardy Field CDBG Grant Project: The project is complete. A final inspection was conducted on July 9th. Pay Application No. 6 and Pay Application No. 7 - FINAL have been submitted for approval.

Pennsylvania Building & Development Corp.:

Pay Request No. 6 has been submitted in the amount of as follows:

Contract Amount:	\$106,250.00
Change Orders	<u>\$ 12,645.00</u>
Contract Total:	\$118,895.00
Completed to Date:	\$118,895.00
Less Retainage:	(\$ 11,889.50)
Less Prior Payments:	<u>(\$ 88,382.25)</u>
Payment Due:	\$ 18,623.25

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Pay Application No. 6 to Pennsylvania Building & Development Corp. in the amount of \$18,623.25.

Pay Request No. 7- FINAL has been submitted requesting release of the 10% Retainage in the amount of \$11,889.50.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Pay Application No. 7 - FINAL to Pennsylvania Building & Development Corp. in the amount of \$11,889.50 subject to authorization and confirmation by the Beaver County Community Development Program.

Hardy Field Lower Parking Lot Improvements: The Road Department has completed the excavation and placement of base material for the lower parking lot at Hardy Field. The Board authorized the letting of bids for the paving, sidewalks, dumpster pad and pedestrian crossing. No bids were received for either the June 19, 2015 or July 10, 2015 bid openings.

The Township Solicitor advised the Board that the statute addresses this issue. After bids are let two times with no submissions, the Township may purchase supplies and award contracts within 45 days of the second bid opening, which in this case is July 10, 2015. The Township Engineer remarked that the weather has been a challenge for many contractors this year. He

recommended that this project be completed by allocating the work into a paving contract, concrete contract and some in-house work.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Manager and Township Engineer to negotiate contracts for the Hardy Field Lower Parking Lot Improvements and to approve execution of the contracts at the August meeting or a special meeting.

Aspen Fields Phase 2 Bond Release Request: A bond release request has been made by Maronda Homes for Aspen Fields Phase 2. The Township Engineer reviewed the bond request from Maronda Homes and an inspection was conducted. The current bond balance is \$194,645.00. The Township Engineer recommended release of \$119,287.52. The remaining balance after the release would be \$75,357.48.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to release \$119,287.52 for the Aspen Fields Phase 2 Bond.

Zoning Code Amendment - Wireless Communication Facilities: The Planning Commission prepared an ordinance to amend the Zoning Code to provide regulations for Wireless Communication Facilities. At the June meeting the Board submitted the ordinance proposal to the Beaver County Planning Commission for their review and comment. Their comments have not been received to date.

Subdivision & Land Development Code Amendment: An ordinance was to amend the Subdivision & Land Development Code to repeal Sections 180-38 and 180-91 regulating stormwater. Those regulations have now been established as Chapter 173 of the Township Code. At the June meeting the Board submitted the ordinance proposal to the Beaver County Planning Commission for their review and comment. Their comments have not been received to date.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to schedule a public hearing on August 10th at 6:15 P.M. on the ordinance to amend the Zoning Code to regulate Wireless Communication Facilities and on the ordinance to amend the Subdivision & Land Development Code repealing Sections 180-38 and 180-91.

Additional Business: None

Public Comment:

Nick Williams of 131 Aspen Fields was present and discussed safety concerns due to speeding vehicles in the Aspen Fields Plan. He asked if the speed limit could be reduced to 15 mph. The Township Manager responded that under the Motor Vehicle Code, 25 mph is the lowest speed limit permitted. Chairman Curtaccio recommended that he contact the Police Department when there is an issue and that he gives license plates numbers of offenders to the police. Sergeant Benedict stated that the police do patrol the plan and if there is a problem to call the Police Department. He recommended that Mr. Williams not confront any person directly. Painting white line markings was also discussed.

Arlene Equels of 560 Barclay Hill Road also expressed a safety issue. She along with several other ladies met at the Hardy Pavilion. During the meeting, children were riding their bicycles through the pavilion. The police were called. Mrs. Equels voiced concern that a bicyclist could run into a person and injure them. Mr. Equels suggested posting signs prohibiting skate boards and bicycles in the pavilion. Mr. Curtaccio stated that this is a park and we want to encourage these types of activities, but out of respect, the bicyclists should not be in the pavilion. Sergeant Benedict advised calling the police if this happens again.

Diane Hertzler of 155 Beech Street requested an update regarding her concern presented at the May 11, 2015 meeting about a neighbor at 170 Sycamore Street who dug out a hillside. The Township Manager and Engineer visited the site and are in the process of drafting a letter addressing violations.

Ed Gray of 975 Dutch Ridge Road asked about a collapsing structure at the corner of Dutch Ridge Road and Park Road. Mr. Dehart stated that a citation has been filed with the Magistrate.

Fire Chief Joshua Curtaccio informed the Board that Patrick Haffey passed away. Mr. Haffey was a 59 year steadfast member of the Brighton Township Volunteer Fire Department. He taught many members over the years how to run the fish fry. The funeral is on Tuesday, June 14th at 10 A.M. and the Fire Department will be attending. Chairman John Curtaccio added that Mr. Haffey was a lifelong resident of Brighton Township and that he loved this community.

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