MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

July 8, 2019

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. Seven (7) 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. - Solicitor
Kathryn L. Johnston, Esq. – Solicitor
Ned Mitrovich, P.E. - Township Engineer

Public Comment – Agenda Items: None

Minutes of June 10, 2019 Regular Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the June 10, 2019 Regular 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 Captain Pete Benedict
E. Fire Department Report – no report provided
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.

Personnel Actions: Police Department: At the June meeting the Board authorized the hiring of Officer Zachary Spearing as a full-time officer effective June 17, 2019. The actual start date was July 1, 2019. This information is presented to correct the employment record.

2019 Roadway Improvement Program: At the April 8, 2019 meeting the Board awarded the bid for the 2019 Roadway Improvement Program, which includes the Base Bid and Add Alternates 1 – 6, to Youngblood Paving, Inc. in the amount of $607,715.75. Brighton

Township will be responsible to pay $548,414.25 and the Brighton Township Sewage Authority will pay $59,301.50. The contract document has been executed.

The Township Engineer anticipates that the 2019 Roadway Improvement Program will start in July or August. Due to the rainy weather, there have been delays in the paving schedule.

DCNR Grant – Two Mile Run Park Trails: At the March meeting the Board authorized the Township Engineer to prepare the design drawing and construction specifications for the Two Mile Run Park Trails project. This will be a 2020 construction project.

The Engineer reported that his office met with the Road Foreman to discuss the Two Mile Run Park Trails project and to walk potential routes. Due to the presence of wetland areas in several locations, they decided to change the route of the trail in order to shorten the length of the bridge over Two Mile Run Creek. This change will be more cost effective and will lengthen the distance of the trail. The Township Engineer has updated drawings to present to the Township Manager.

Gypsy Glen Road Slide Repair: Construction Engineering Consultants, Inc. (CEC) has conducted a geotechnical investigation to identify a potential cause of the earth movement and an action plan for a slide in the area of 2615 Gypsy Glen Road. A stormwater collection system has been constructed.

The Engineer advised the Board on the recommended course of action to address the slide and make a repair. The recommendation from CEC is to remove up to 6,000 cubic yards of material, and then to spread and compact the area with shale. Mr. Mitrovich recommended scheduling a meeting with the Township Manager and Road Foreman to determine if this project can be completed by the Road Department. He also noted that the stormwater drains installed in May have helped to stabilize the area.

Township MS4 Program: The Township Engineer reported on activities with the Municipal Separate Storm Systems Program. They are behind on the samplings due to the rainy weather and are working on MS4 training for the Road Department. The annual report is also being prepared.

Brighton Fields Phase 1 Stormwater Pond Restoration: The Township Engineer has been authorized to prepare the design drawings and bid documents for the project.

The Township Engineer reported that eight (8) boring locations have been staked and the Pennsylvania One Call System has been notified. Mr. Mitrovich has been informed that Brighton Township is the next job on the list of the geo-technical company. Mr. Dehart requested a notice of the work date so that the Brighton Fields HOA is notified prior to the start of the work.

Comprehensive Plan RFP: At the June meeting the Board authorized release of a Request for Proposal for a planning consultant to assist with the preparation of a new Brighton Township Comprehensive Plan. A project budget of $60,000 has been established. A grant

application for 50% funding has been filed. The RFP has been released with responses due July 10th. The responses will be forwarded to the Planning Commission for their review and recommendation to the Board of Supervisors.

Grabski Plan of Subdivision: Application has been filed for a lot line adjustment for two existing properties at 930 and 1010 Pine Grove Road. The Board was provided a copy of the site plan prepared by Pringle-Nero Land Surveying, Inc., the Township Engineer's review comments by letter dated June 11, 2019 and the June 19, 2019 review letter from the Beaver County Planning Commission. At their meeting of July 1st the Planning Commission recommended approval of the plan, subject to compliance with the Township Engineer's review comments dated June 11, 2019.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Grabski Plan of Subdivision, subject to compliance with the Township Engineer's review comments dated June 11, 2019.

Planning Waiver & Non-Building Declaration: A PA DEP Planning Waiver & Non-Building Declaration form has been prepared and filed with the Grabski Plan of Subdivision. It has been signed by the Sewage Enforcement Officer. The Planning Commission has approved and authorized execution of the PA DEP Request for Planning Waiver & Non-Building Declaration for Parcel "B" of the Grabski Plan of Subdivision.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorize execution of the Planning Waiver & Non-Building Declaration form for the Grabski Plan of Subdivision.

Conditional Use Decision – Crown Castle: At 6:30 P.M. a public hearing was conducted on the application of Crown Castle to install a Tower-Based Wireless Communications Facility in the public right of way of Dutch Ridge Road. This use is a permitted Conditional Use under Section 195-17.G of the Brighton Township Zoning Code.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Crown Castle Condition Use Application to install a Tower-Based Wireless Communications Facility in the public right of way of Dutch Ridge Road.

Grading Waiver Request: At the June meeting the Board heard the waiver requests filed by Sheffler & Company, Inc. for the Grandview Estates Residential Development. The waivers were requested from the following sections of the Grading Ordinance:

- §104-16.A: Maximum slope steepness of a cut shall be three horizontal to one vertical.
- §104-17.A: No fill shall be made in the Township which creates a slope steeper than three horizontal to one vertical.
- §104-16.F: All excavations shall have a ten-foot-wide bench every 20 feet in elevation.
- §104-17.J: All fills shall have a ten-foot-wide bench every 20 feet in elevation.

The Board was provided a copy of the waiver requests by letter of June 5, 2019. A Subsurface Geotechnical Investigation Report as prepared by Geo-Mechanics was also submitted and reviewed at the June meeting. The Board deferred action on the requested waivers, pending written comments from Township Engineer.

Mr. Mitrovich summarized his letter of July 5, 2019 regarding the grading ordinance waiver requests. The Engineer recommended granting the waivers from Section 104-16.A Standards for Excavation and Section 104-17.A Standards for Fills of the Brighton Township Code Chapter 104 Grading and Excavating provided all of the technical and engineering representations, recommendations and conclusions provided in the June 5, 2019 letter prepared by Sheffler & Company, Inc., the oral representations made by Geo-Mechanics, Inc. and the December 4, 2018 (Revised December 19, 2018) Geotechnical Engineering Investigation Report prepared by Geo-Mechanics, Inc. are followed. The Engineer did not recommend granting waivers from Section 104-16.F and Section 104.17.J of the Brighton Township Code Chapter 104 Grading and Excavating, as benching is necessary to provide for slope maintenance.

The project developer, Mr. Allen J. Sherwood of 1224 Dutch Ridge Development, LLC was in attendance and was satisfied with the Township Engineer's recommendations. He also mentioned that swales on property lots will be designed so that they can be mowed and maintained by the property owner.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to grant the waivers to the Grandview Estates Residential Development for Section 104-16.A and Section 104-17.A of the Brighton Township Code Chapter 104 Grading and Excavating subject to the terms and conditions outlined in the LSSE review letter dated July 5, 2019 and to not grant waivers to Section 104-16.F and Section 104-17.J of the Brighton Township Grading Ordinance.

Antler Ridge Subdivision – Waiver Requests: By Letter of July 1, 2019 the Larson Design Group, on behalf of Dutch Ridge Associates, requested two (2) modification requests for consideration. First, is a modification to the Subdivision and Land Development Code Chapter 180, Section 180-13.A.3 – Detail RD-14 Entrance Drive with Island. The modification is to the island dimensions as well as the radii at the entrance. The required 40' radius is proposed as a 25' radius. The Planning Commission recommended approval subject to engineering review by the Township Engineer.

The Engineer reviewed the proposed Detail RD-14 Entrance Drive with Island for the Antler Ridge Subdivision. He stated that the road was designed around the existing monument sign. The modifications are extensive and the monument in the middle leaves little flexibility. He also said that the pass-through in the middle of the island is a hazard and cannot be permitted. Mr. Curtaccio expressed concern about fire trucks being able to turn onto the road. Due to possible hazards, Mr. Equels made motion, seconded by Mr. Piccirilli, vote unanimous, to deny the waiver as presented to modify the Subdivision and Land Development Code Chapter 180, Section 180-13.A.13 – Detail RD-14 Entrance Drive with Island.

The second modification was to the Subdivision and Land Development Code Chapter 180, Section 180-24 to increase the block length from 1,200 feet to 1,214 feet. The Planning Commission recommended approval.

After a discussion, Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the waiver request to modify the Subdivision and Land Development Code Chapter 180, Section 180-24 to increase the block length from 1,200 feet to 1,214 feet.

Aspen Fields Phase V: At the June meeting the Board authorized recording the plan for Aspen Fields Phase V, subject to the Township Engineer establishing a bonding amount prior to plan recording. The Engineer has established the bonding at $199,653.08 in accordance with his report dated July 3, 2019. At this time, the required bonding has not been submitted.

Brighton Bubbles Car Wash: The Developer's Agreement for the Brighton Bubbles Car Wash land development can now be prepared.

Mr. Reed reported that the Developer's Agreement for the Brighton Township Sewage Authority has been revised and will be submitted for their consideration. A Developer's Agreement between Brighton Township and developer will be prepared using the standard agreement model. The Engineer will provide some of the language and the bonding requirement.

Brighton Fields Phases 2, 3A & 3B Maintenance Bond: The Township accepted dedication of the roadways in the Brighton Fields Phases 2, 3A & 3B on May 14, 2018. The 18-month maintenance period is scheduled to expire in November. An inspection will need to be completed prior to the expiration of the maintenance period.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to request the Township Engineer to schedule the required inspections with the developer and advise of the findings.

2019 Beaver County Local Government Conference: The 2019 Beaver County Local Government Conference will be conducted on July 31st and August 1st. Messrs. Curtaccio and Equels plan to attend.

Additional Business:

Mr. Dehart asked Mr. Reed if there was an update on the Amore Property. Mr. Reed responded that he had not received any new information to report but will follow up.

Mr. Reed stated that the Township received the latest listing of interim tax assessments from the Beaver County Assessment Office for the period ending June 27, 2019. The Township Solicitor will prepare Resolution No. 2019-14 directing the Real Estate Tax Collector to collect taxes on the interim assessments.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Resolution 2019-14, directing the Real Estate Tax Collector to collect the Real Estate Taxes as listed therein.

Public Comment: None

Ratify June Bills List: Mr. Piccirilli made a motion, seconded by Mr. Equels, 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 8:03 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary