

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

AUGUST 12, 2019

John Curtaccio, Chairman, called the regular meeting of the Board of Supervisors, located in the Municipal Building, 1300 Brighton Road, to order at 7:00 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. - Solicitor
 Kathryn L. Johnston, Esq. – Solicitor
 Ned Mitrovich, P.E. - Township Engineer

Public Comment – Agenda Items: None

Minutes of July 8, 2019 Regular Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the July 8, 2019 Regular Meeting.

The following **July 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 – 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 July Reports as submitted.

Personnel Actions: Police Department Remove From Probation: Officer Nick Cusano has completed his six month probationary period as a part-time Police Officer. Chief Blinn has recommended his removal from probationary status.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to remove Officer Nick Cusano from probationary status.

Police Department Resignation: Part-time Officer Justin Rapko has resigned his position effective July 25, 2019.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the resignation of Officer Justin Rapko effective July 25, 2019.

Seasonal Employee: Mr. Dehart recommended that the Board increase the rate of pay for Jim Shaw to \$12.25 per hour as crew leader.

Mr. Equels made a motion, seconded by Mr. Piccirilli to increase the rate of pay of Jim Shaw to \$12.25 per hour effective with the current pay period.

Schedule Public Hearing for Transfer of Liquor License: A request has been submitted by Caputo Law Office on behalf of SB Charter Grocery, Inc. to schedule a public hearing on a proposed inter-municipal transfer of a Restaurant Liquor License to 4935 Tuscarawas Road.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to schedule a public hearing at 6:00 P.M. on September 9, 2019 in the Municipal Building for the inter-municipal transfer of a Restaurant Liquor License to 4935 Tuscarawas Road.

2019 Roadway Improvement Program: At the April 8, 2019 meeting the Board awarded the bid for the 2019 Roadway Improvement Program to Youngblood Paving, Inc. The Township Engineer reported that the 2019 Roadway Improvement Program has been completed and that the project turned out well. A punch list of items will be completed soon.

Authorize Transfer for Parking Lot Paving: In addition to the road paving program, the parking lot at Fire Station No. 3 was paved. The cost estimate of \$58,887.90 includes site preparation, base repair and paving.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize a transfer of funds to the Brighton Township Volunteer Fire Department for the cost of paving the parking lot at Fire Station No. 3 in the estimated amount of \$58,887.90.

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 since the bridge location for the creek crossing has been identified, work on the project design and permitting continues.

Two Mile Rental Rates: The Township will begin taking rental registrations for 2020 in October. The current rates are: LODGE \$125 resident and \$150 non-resident; and SHELTERS \$40 resident and \$50 non-resident. The Board discussed rate changes.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to increase the rental rates for the lodge to \$140 for residents and \$165 for non-residents effective 2020. Shelter rental rates will remain the same.

Parks & Recreation Request for Fireworks: The Parks and Recreation Board has requested the Board's consideration for a fireworks display at the September 29th Fall Festival at Hardy Field. Two cost options were submitted - \$3,500 and \$5,000. A location map was also submitted for review. After review, the Supervisors had concerns about the location of the fireworks on the baseball field, as a sizeable investment has been made in the field. After discussion of an alternate location, it was determined that there is not space available and therefore denied the Parks & Recreation Request for Fireworks at the September 29th Fall Festival.

Agreement for Use of Weigh Scales: Officer Krizan of the Police Department has been certified as a weigh master. Interstate Chemical Company in Vanport Township has authorized the use of their certified weigh scales subject to the execution of an Agreement. The Agreement has been reviewed by the Solicitor's office and the Township insurer and has been found acceptable. Chief Blinn said the weigh scales are necessary because of over-weight trucks on Township roads.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorize execution of the Agreement by the Police Department with Interstate Chemical Company for use of weigh scales.

Agreement for Code Enforcement: Last year the Township entered into an Agreement with Pella Consulting for code enforcement services. The Agreement is subject to written confirmation by both parties for renewal.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve extension of the Agreement with Pella Consulting for an additional one-year term.

Chapter 96 Fire Hydrants: The Municipal Authority Operations Supervisor is requesting that the Township consider amending the Fire Hydrant Ordinance (Code Chapter 96) to increase the penalty for unauthorized access or tampering with a fire hydrant. The current penalty is a fine of not less than \$100 or more than \$300. A penalty of up to \$1,000 is recommended. Chief Howard Blinn suggested a specific fine be set and not a range.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to allow the Township Solicitor to advertise that the penalty for unauthorized access or tampering with a fire hydrant as \$1,000.

Property Condemnation: The Code Enforcement Official, Owen Pella, has recommended the condemnation of a house located at 4965 Dutch Ridge Road, Tax Parcel No. 55-023-0213.000 as being unfit for human occupancy. This recommendation is pursuant to the provisions of Section 801.1 Unsafe Structures and Equipment of Brighton Township Chapter 148 Property Maintenance Code. This recommendation is due to the existing conditions; lack of

utilities, severe disrepair and unsanitary conditions. The property has been put on Beaver County's demolition list, which has as a condition the condemnation of the structure prior to it being torn down.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the condemnation of 4965 Dutch Ridge Road, Tax Parcel No. 55-023-0213.000 in accordance with the recommendation of the Code Enforcement Official.

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 informed the Board that he is waiting to hear back from Brian Caruso of CEC about conducting additional earth borings to more specifically define the scope of work. The Engineer will follow up. This will be a 2020 project.

Sebring Road Repairs: Duquesne Light Company (DLC) is prepared to proceed with road repairs on Sebring Road from PA Route 68 to the area just north of Fletcher Road under the provisions of the excess maintenance agreement executed with the Township. However, they have identified some areas of repair that are outside their scope of work and they are requesting the Township to act upon those repairs or waive DLC's future responsibility.

The Township Engineer reported that there are two slide areas that need repaired. Each is about 30' – 50' long and in very steep conditions. He said storm sewers would help the situation and that samples need to be drilled. It is too late in the year to pave and have a seal coat applied. The Township Engineer suggested addressing the stormwater issued on the road now before it becomes an emergency situation.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Engineer to have earth borings conducted to determine the extent of repairs on the slide sections of Sebring Road.

Township MS4 Program: The Township Engineer reported on activities with the Municipal Separate Storm Systems Program. The annual report is also being prepared and will be available in late September.

Resolution No. 2019-15 – Delinquent Collections for Stormwater Fees: The Brighton Township Stormwater Management Fee Ordinance provides for the creation of policies and procedures by the Board of Supervisors deemed appropriate to ensure collection of the stormwater fees. The ordinance also provides for the filing of liens on unpaid fees. Resolution No. 2019-15 establishes a policy to file a lien on unpaid fees as of December 1st of each year, fees for the preparation, filing and satisfaction of liens and an interest rate of 6% on liens filed. It is necessary to establish a policy prior to the sending of delinquent notices. The Township Manager explained that Berkheimer will send the delinquent notices listing information relative to the fees.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adopt Resolution No. 2019-15 – Delinquent Collections for Stormwater Fees.

Stormwater BMP Operations & Maintenance Agreements: Kenneth A. & Paula J. Peduzzi have filed individual small stormwater management BMPs for construction of a detached garage at 1000 Sebring Road. The BMP to be constructed is a gravel sump.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Agreement for individual small stormwater management BMP submitted by Kenneth A. & Paula J. Peduzzi for a detached garage at 1000 Sebring Road.

Donald R. & Barbara G. Morgan have filed individual small stormwater management BMPs for construction of a single-family house at 775 Bradys Ridge Road. The BMPs to be constructed are two (2) gravel sumps.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Agreement for individual small stormwater management BMPs submitted by Donald R. & Barbara G. Morgan for a single-family house at 775 Bradys Ridge Road.

Brighton Fields Phase 1 Stormwater Pond Restoration: The Township Engineer has been authorized to prepare the design drawings and bid documents for the project. He advised that the earth borings still need to be completed. The Road Department has cleared the access for this work.

The final Property Access License, Release, Operation and Maintenance Agreement for the Phase 1 pond have been completed and signed by the HOA. The Maintenance Agreement for the Phase 3 pond has also been executed by the HOA.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize execution and recording of the Property Access License, Operation and Maintenance Agreement for the Phase 1 pond and the Maintenance Agreement for the Phase 3 pond as executed by the Brighton Fields HOA.

Property Donation: At the May 13, 2019 meeting the Board accepted the offer of property donation made by Amore Management Company. The donation consists of two parcels totaling approximately 26 acres, which includes a detention pond that would be the location of the Township's second Pollution Reduction Plan (PRP) project. The acceptance was subject to the findings and lien examination and the Solicitor's review of the deed. The Solicitor has advised that the deed can now be executed and recorded.

Mr. Piccirilli made a motion to authorize execution and recording of the deed for the donation of two parcels, totaling approximately 26 acres, from Amore Management Company.

Mr. Dehart recommended that the Township Engineer be authorized to prepare a survey of the properties and begin design of the BMPs required to implement the Township's PRP.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to conduct a survey of the properties donated by Amore Management Company and prepare drawings for the BMPs required to implement the PRP.

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 Planning Commission has scheduled interviews with three companies: Envision Group LLC, Mackin Engineering Company and Pashek. They anticipate making a recommendation for the Board to consider at the September meeting.

The Township Manager reported that interviews will be held on Tuesday, August 20 with Envision Group LLC and Mackin Engineering Company. The interview with Pashek will take place on August 27.

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. One modification request was 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 Board previously rejected this request.

Tod and Tawnya Arbutina were in attendance as well as a neighbor, Vida Kaniecki of 4545 Dutch Ridge Road. Dutch Ridge Associates engineer, Chris Wolf, showed illustrations of a garbage truck and fire truck entering and exiting the plan.

Chairman Curtaccio opposed the obstruction of the island as he believes it is a major safety concern on the fire end. It is his opinion that it will be difficult for a fire truck to maneuver with the island and that fire trucks will have to enter the lane of oncoming traffic to turn into and out of the plan. Messrs. Equels and Piccirilli agreed that as designed the intersection is not acceptable. Ned Mitrovich said that a 2’-3’ buffer is needed and the island is in the way.

Chris Wolf will rework the dimensions so the fire truck doesn’t cross the center line.

Peters Plan of Lot Consolidation: Application has been filed to consolidate Lot 103 (55-056-0103.000) and Lot 104 (55-056-0102.000) in the Hunter’s Ridge Plan into one parcel. The Township Engineer’s review comments dated July 29, 2019 and the Beaver County Planning Commission review comments dated July 23, 2019 were available. At their meeting of August 5, 2019 the Planning Commission recommended plan approval subject to compliance with the Township Engineer’s review letter.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Peters Plan of Lot Consolidation of Lot 103 (55-056-0103.000) and Lot 104 (55-056-0102.000) in the Hunter’s Ridge Plan into one parcel subject to compliance with the Township Engineer’s review letter.

Brighton Bubbles Car Wash: The Developer's Agreement for the Brighton Bubbles Car Wash land development has been prepared. The plan was granted conditional approval at the October 12, 2018 meeting. A re-approval is needed for recording.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the signature and recording of the Brighton Bubbles land development plan subject to the execution of the Developer's Agreement and posting of the required bond.

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.

The Township Engineer will report on the required inspections and advise of the findings.

Additional Business:

Solicitor Kathryn Johnston has prepared sixteen (16) appeals to notifications received to remove Township owned parcels from tax-exempt status. She is awaiting the County's response with a hearing date.

Public Comment: Ed Gray, 975 Dutch Ridge Road, asked if the erosion along Wildwood Road was going to be repaired. The Township Manager reported that Penn D.O.T. previously advised that they intend to repave the road this year.

Ratify July Bills List: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to ratify the July Bills List.

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adjourn the meeting at 8:25 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary