

## MINUTES

### BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

NOVEMBER 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. Six (6) visitors were present.

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

**Public Comment – Agenda Items:** None

**Minutes of October 14, 2019 Regular Meeting:** Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the October 14, 2019 Regular Meeting.

The following **October 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
- 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 October Reports as submitted.

**Beaver Area Memorial Library:** Diane Wakefield and Jennifer Cribbs of the Beaver Area Memorial Library were in attendance to discuss the Township's continued financial support of the library.

Diane Wakefield has been the Director of the Beaver Area Memorial Library for 42 years. She said that the library could not fully operate without the support of Brighton Township and Beaver Borough. Libraries depend on local municipalities for funding. Over the last ten years, the library has received only a two percent increase in state funding and over the last five

years, there has been no increase. When unexpected expenses arise, this makes budgeting difficult. The library provides many services in addition to providing reading materials and resources. These include free tax preparation for eligible participants, one on one computer classes, quilting classes, knitting classes and many others. Ms. Wakefield asked the Board to consider increasing the library funding.

Children's Librarian Jennifer Cribbs thanked the Board for promoting the library through the Township's newsletter publications and social media posts. She discussed the children's summer reading program and the many other children's library programs. The library partners with various organizations to provide children's programs including the PA Cyber Charter School and 4-H of Beaver County. A new program is being assembled through a partnership with Robert Morris University Mathematics Department. The library teaches children in a variety of ways.

The Board thanked both presenters for their time and for the services the library provides to the residents of Brighton Township.

**Sale of Vehicle:** At the October meeting the Board authorized the sale of the 1998 Peterbilt with a plow via the Municibid public auction program with a minimum bid reserve of \$25,000 established. The Manager reported that the minimum bid reserve was not met. The high bid was \$22,500 from Christopher W. DiStefano. Mr. Dehart recommended accepting this bid. It was noted that the bid is \$5,000 more than the trade-in offer.

Mr. Equels made a motion, seconded by Mr. Piccirilli vote unanimous, to approve the sale of the 1998 Peterbilt with a plow to Christopher W. DiStefano in the amount of \$22,500 through the Municibid public auction program.

**Advertise Intent to Appoint a Certified Public Accountant:** The Township is required to advertise their intent to appoint a CPA to audit the books for the year ending December 31, 2019 in lieu of the elected auditors. The Township Solicitor will also need to file a petition with the courts to appoint the auditor and approve his compensation. Mark C. Turnley, CPA has submitted a 3-year proposal dated November 7, 2019 as follows: 2019 Audit - \$6,000; 2020 Audit - \$6,000; and 2021 Audit - \$6,100. The appointment of the CPA will occur at the Board's January 6, 2020 Reorganization meeting beginning at 5:00 P.M.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the three year proposal from Mark C. Turnley, CPA to audit the books for the years ending 2019, 2020 and 2021 at the rate set forth in his proposal dated November 7, 2019.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Solicitor file a petition with the courts to appoint Mark C. Turnley, CPA in lieu of the elected auditors for the calendar years 2019, 2020 and 2021 and to approve his compensation as set forth in the proposal of November 7, 2019.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the advertisement of the Township's intent to appoint Mark C. Turnley, CPA at the January 6, 2020 Reorganization Meeting to audit the books for the year ending December 31, 2019.

**Refuse & Recycling Fee Adjustment:** Year 5 (FINAL) of the refuse contract began July 1, 2019 and the new base rate will be \$11.18 per month. The contract also contains provisions for a Fuel Cost Adjustment and an Escalation Clause for Tipping Fee. Five (5) prior rate increases have been approved for cost increases at the recycling center or landfill. In addition, a calculation has been prepared for fuel cost based upon OPIS price postings and in accordance with the formula included in the contract documents. The calculation results in an increase of 3-cents per month (a 5-cent reduction), based on the contract start date. As a result of the calculations, the new rate will be as follows:

Base Rate July 1, 2019 to June 30, 2020	\$11.18
Recycling Fee escalation approved effective October 1, 2015	\$ 0.05
Recycling Fee escalation approved effective December 1, 2015	\$ 0.02
Tipping Fee escalation approved effective May 1, 2016	\$ 0.08
Recycling Fee escalation approved effective April 1, 2018	\$ 0.01
Recycling Fee escalation approved effective January 1, 2019	\$ 0.15
Fuel Cost Adjustment calculated effective January 1, 2020	<u>\$ 0.03</u>
Monthly Refuse Rate effective January 1, 2020	\$11.52
Quarterly Refuse Rate effective January 1, 2020	\$34.56

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the revised refuse and recycling fee of \$11.52 per month effective January 1, 2020.

**DCNR Grant – Two Mile Run Park Trails:** The Board previously 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 he draft plans are prepared and can be reviewed. He recommended selecting trails that require minimal grading to prevent the removal of trees and other vegetative cover. Mr. Mitrovich suggested that bids be authorized in late winter with an early spring bid opening.

**2020 Budget – Second Reading:** The first reading of the 2020 Budget was conducted at the October 14<sup>th</sup> meeting. The following amounts are being proposed: General Fund \$4,762,500; Stormwater Fund \$418,000; Capital Reserve Fund \$2,449,050; State Aid Fund \$406,905 and Police Pension Fund \$2,840,089. The budget for the Police Pension Fund has been increased based upon current market results. The budget proposes no increase in the real estate tax millage rate or personnel additions. The Stormwater Fee is budgeted to remain at \$5.50 per month per ERU.

The Manager presented a handout to the Board which showed a revision to the 2020 Capital Fund Budget. This revision was necessary due to the Township receiving an invoice

from Glick Fire Equipment Company for the Pierce Saber Chassis in the amount of \$320,449 which will be paid in 2019. The pre-payment for the chassis will result in an overall price reduction of \$9,333. The 2020 cash carryover was reduced and the fire vehicle purchase expense was reduced an equal amount. The revised 2020 Capital Budget is \$2,129,050. The budget will be presented for adoption at the December 9<sup>th</sup> meeting.

**Gypsy Glen Road Slide Repair:** The Board has been discussing an action plan for a slide in the area of 2615 Gypsy Glen Road. The Engineer has prepared plans for the repair based on prior site borings. This will be a 2020 summer construction project.

It is anticipated that bids will be authorized in January with a bid opening in February. The Manager highlighted that the construction phase should take place when school is not in session because it would be difficult for buses to travel on Gypsy Glen Road during the slide repair.

**Sebring Road Slide Repair:** A slide area has been identified on Sebring Road. The Board previously approved a quotation from Construction Engineering Consultants, Inc. in the amount of \$8,500 to do earth borings in advance to define the scope of work. The Engineer confirmed that the survey and borings have been completed. The boring results should be available in the next few weeks and will be presented at the next meeting. Mr. Mitrovich advised that the Township notify residents through the spring newsletter of the upcoming construction projects with possible road closures.

**Sebring Road Paving:** Duquesne Light Company (DLC) is prepared to proceed with paving 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. It was determined that this would take place in 2020. The Township Engineer updated the Board on the negotiations with Duquesne Light. Duquesne Light has agreed to make a payment to the Township in lieu of performing the paving work. Pricing information was sent to Duquesne Light. A price will be agreed upon.

**Excess Maintenance Agreement 2019-03:** An over-posted weight hauling permit application and an Excess Maintenance Agreement has been filed by Omega Logging, Inc. for a 0.4 mile section of Coleman Drive and Crest Drive. This is for a logging permit on Tax Parcel No. 55-162-0271.001 owned by Jon Lang.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorize execution of Excess Maintenance Agreement No. 2019-03 with Omega Logging, Inc. for a 0.4 mile section of Coleman Drive and Crest Drive.

**Ordinance No. 222 Vacating Walnut Lane:** The Beaver County Commissioners submitted a written request for the vacation of Walnut Lane, an unopened street, located within the area of the former Allencrest property off of Western Avenue. These properties are being sold to Clover Development, and the vacating of the road is for their future site development of the properties. The Township Solicitor has prepared and advertised for consideration an Ordinance to vacate Walnut Lane.

After review by the Solicitor, Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adopt Ordinance No. 222 vacating Walnut Lane.

**Township MS4 Program:** The Township Engineer reported on activities with the Municipal Separate Storm Systems Program. The Annual MS4 Report was submitted in September. Each year twenty percent of the Township's outfalls are evaluated. This year 35 outfalls were evaluated. The results showed nine outfalls with contaminants including chlorine, nitrogen, and detergents. When the weather is conducive, these findings will be investigated further. Ten outfalls had maintenance items identified.

**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 preliminary design drawings for the Brighton Fields stormwater detention facility have been prepared.

**Beaver Woods Stormwater Pond Restoration:** The Township has acquired the land where the detention facilities located behind Beaver Woods. The Township Engineer has been authorized to prepare a survey of the properties needed in advance of the design of the BMPs required to implement the Township's PRP.

The Township Engineer reported that the field and boundary surveys have been completed. The aerial mapping should be completed by the end of December.

**Comprehensive Plan:** The Township has entered into a contract with Envision Group, LLC to prepare a Brighton Township Comprehensive Plan. The first meeting of the study committee is on November 14<sup>th</sup> at 7:30 P.M. in Shultz Lodge. The Planning Commission is functioning as the study committee. However, there are other persons that are recommended for appointment at this stage. During the process others will be identified for participation or as key person interviews.

Mr. Dehart recommended that the Board appoint the following to the Comprehensive Plan Study Committee: Kim Radler, 2005 Tuscarawas Road, J. Gary Gardner, 5260 Tuscarawas Road, and Jason Bumblis, or other representative, of the Parks & Recreation Board.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to appoint the Comprehensive Plan Study Committee as listed above.

Mr. Dehart noted that the meeting is open to everyone to attend.

**Clover Communities Brighton – Conditional Use Application:** By letter of November 5, 2019 Clover Development has filed a conditional use application for their proposed Clover Senior Housing project on Western Avenue. Senior Housing is a permitted Conditional Use in accordance with Zoning Code Section 195-74.I. within the HC-1 Health Care Service District. Clover Development has simultaneously filed a land development application for the project.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to select December 9<sup>th</sup> at 6:00 P.M. as the public hearing date for the Clover Communities Brighton Conditional Use Application. Residents on Western Avenue will be notified of the hearing.

**Moritz-Diesing Plan of Lots:** Application has been filed for a 2-lot subdivision. Parcel B is being incorporated into the adjacent lands of Rudolf & Michelle Diesing, creating a lot of 10.018 acres. Lot 2 is being retained by Joseph & Nancy Moritz. The Township Engineer previously issued comments by letter of October 25, 2019. A copy of the site plan prepared by Shoup Engineering Inc. revised in response to review comments was provided to the Board. The Beaver County Planning Commission comments of October 17, 2019 were also provided for review. The Brighton Township Planning Commission, at their meeting of November 4, 2019 recommended plan approval, subject to final review by the Township Engineer.

The Township Engineer discussed comments of the Moritz-Diesing Plan of Lots Review No. 2 letter dated November 8, 2019 in which the following is recommended:

- The plan should be revised to note a 40' setback requirement along Gypsy Glen Road.
- A non-building waiver must be added to the plan for Lot 2.

After review and discussion, Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Moritz-Diesing Plan of Lots, subject to the review comments of the November 8, 2019 letter from Lennon, Smith, Souleret Engineering, Inc.

**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. The Township Engineer has advised that the developer has complied with the conditions set forth in the August 23, 2019 inspection report.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize a full release of the PNC Irrevocable Standby Letter of Credit posted as the Maintenance Bond.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize a full release of the Pappan Development Escrow balance of \$5,158.56 and any accrued interest and the closing of the Pappan Development Escrow savings account at First National Bank.

**Aspen Fields Phase III – Fineview Circle Dedication:** Maronda Homes has requested to enter into dedication of Fineview Circle in the Aspen Fields Phase III Plan. The Township Engineer has conducted a field review of the plan pursuant to this request and has issued a report dated October 3, 2019. The Engineer reported that he reviewed the site and that a host of items need completed including the paving. If the weather cooperates, the paving can still be completed as all of the preparation work has been done. If they are not able to pave the road, an alternate plan will be proposed.

**Additional Business:** The Township Manager presented a letter from Lennon, Smith, Souleret Engineering, Inc. regarding the Evergreen Heights Bond Reduction Request No. 2 submitted by Tod Arbutina on behalf of Third Street Beaver Associates. LSSE recommended

that the Township reduce the bond amount from \$206,628.63 to \$174,785.03. The recommended release is \$31,843.60. Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Evergreen Heights Bond Reduction No. 2 in the amount of \$31,843.60, reducing the bond amount from \$206,628.63 to \$174,785.03.

Mr. Dehart also distributed a proposal from Gumpf Gardens, Inc. for a monument at Hardy Field honoring Staff Sergeant Dylan Elchin, who died in Afghanistan in November 2018. Ron Bogolea, Dylan's grandfather, is coordinating the planning and payment of the monument. Mr. Bogolea is working with Legacies Alive to fundraise for this cause. Construction of the monument is planned for next summer.

Mr. Mitrovich reported that he submitted an application for a PENN D.O.T. Highway Occupancy Permit on Tuscarawas Road to install a new pole for a license plate reading camera system installation.

The Engineer has also prepared cost estimates for the 2020 Road Paving Program for consideration at next month's meeting.

The Township Solicitor stated that Beaver County had removed the tax-exempt status of sixteen Brighton Township properties. Ms. Johnston filed an appeal of those actions to re-establish the tax-exempt status for these properties along with two parcels the Township obtained from Amore Management Properties for a total of eighteen parcels. The County granted tax-exempt status to twelve parcels but denied tax-exempt status to four parcels. No decision has been received for the two parcels donated to the Township from Amore Properties. The Solicitor will reapply for tax-exempt status next year for the parcels denied.

Mr. Piccirilli noted that on the Times Online, Brighton Township placed eighth on a recent report ranking Pennsylvania's safest cities. Security-based review, comparison and news site Security Baron analyzed FBI rankings of crime rates to reveal the top 50 safest cities in Pennsylvania of which Brighton Township was No. 8.

**Public Comment:** There was no public comment.

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

**Adjournment:** Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adjourn the meeting at 8:16 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Secretary