

## MINUTES

### BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

February 10, 2020

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. Three (3) visitors were present.

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

**Public Comment – Agenda Items:** None

**Minutes of January 13, 2020 Regular Meeting:** Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the minutes of the January 13, 2020 Regular Meeting.

The following **January 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 Kevin Crawford
- F.     Report of Tax Collectors
- G.     Report of Fines
- H.     Recycling Report

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the January Reports as submitted.

**Planning Commission Vacancy:** There is a vacancy on the Planning Commission for a term ending December 31, 2023. The term of Nathan Allen has expired and he is moving from the Township.

**Bid Award – Refuse & Recycling Collection Contract:** Bids were opened at 10:00 a.m. earlier today. Below is the bid tabulation:

**REFUSE AND RECYCLING CONTRACT BID - BRIGHTON TOWNSHIP**

**Bid Opening of February 10,  
2020**

**10:00 AM**

| <b>Year 1</b>       | <b>Year 2</b>       | <b>Year 3</b>       | <b>Year 4</b>       | <b>Year 5</b>       |
|---------------------|---------------------|---------------------|---------------------|---------------------|
| 7/1/20 -<br>6/30/21 | 7/1/21 -<br>6/30/22 | 7/1/22 -<br>6/30/23 | 7/1/23 -<br>6/30/24 | 7/1/24 -<br>6/30/25 |

**BIDDER**

J. Young Refuse  
6129 Tuscarawas  
Road  
Industry, PA  
15052

|               | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> |
|---------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| <b>Annual</b> | \$<br>139.92           | \$<br>141.56           | \$<br>143.20           | \$<br>144.84           | \$<br>146.48           |
| <b>Month</b>  | \$<br>11.66            | \$<br>11.80            | \$<br>11.93            | \$<br>12.07            | \$<br>12.21            |

  

|               | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> |
|---------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| <b>Annual</b> | \$<br>235.92           | \$<br>237.56           | \$<br>239.20           | \$<br>240.84           | \$<br>242.48           |
| <b>Month</b>  | \$<br>19.66            | \$<br>19.80            | \$<br>19.93            | \$<br>20.07            | \$<br>20.21            |

Valley Waste  
Service, Inc.  
261 Wallace Run  
Road  
Beaver Falls, PA  
15010

|               | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> |
|---------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| <b>Annual</b> | \$<br>202.20           | \$<br>208.32           | \$<br>214.56           | \$<br>221.04           | \$<br>227.76           |
| <b>Month</b>  | \$<br>16.85            | \$<br>17.36            | \$<br>17.88            | \$<br>18.42            | \$<br>18.98            |

  

|               | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> |
|---------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| <b>Annual</b> | \$<br>442.20           | \$<br>448.32           | \$<br>454.56           | \$<br>461.04           | \$<br>467.76           |
| <b>Month</b>  | \$<br>36.85            | \$<br>37.36            | \$<br>37.88            | \$<br>38.42            | \$<br>38.98            |

Waste  
Management of  
PA, Inc.  
625 Cherrington  
Parkway  
Moon, PA 15108

|               | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> | <u><b>Curbside</b></u> |
|---------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| <b>Annual</b> | \$<br>206.16           | \$<br>216.48           | \$<br>227.28           | \$<br>238.68           | \$<br>250.56           |
| <b>Month</b>  | \$<br>17.18            | \$<br>18.04            | \$<br>18.94            | \$<br>19.89            | \$<br>20.88            |

  

|               | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> | <u><b>Backyard</b></u> |
|---------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| <b>Annual</b> | \$<br>386.16           | \$<br>396.48           | \$<br>407.28           | \$<br>418.68           | \$<br>430.56           |
| <b>Month</b>  | \$<br>32.18            | \$<br>33.04            | \$<br>33.94            | \$<br>34.89            | \$<br>35.88            |

(724) 350-6733

J. Young Refuse is the lowest bidder. The Township Manager recommended the bid be awarded to J. Young Refuse.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to award the Refuse & Recycling Collection Contract to J. Young Refuse for the amounts listed above for a period of three (3) years with an option to include years four (4) and (5); and to authorize the execution of the contract documents.

**2020 Roadway Improvement Program:** At the January meeting the Board approved the preparation and release of bids for the 2020 Road Paving Program. The roads included are:

| <u>Street Name</u>      |  | <u>Cost Est.</u> |
|-------------------------|--|------------------|
| 7 <sup>th</sup> Avenue  | Entire Length                              | \$ 33,827        |
| 8 <sup>th</sup> Avenue  | North Ave to End                           | \$ 37,741        |
| Colvin Drive            | Entire Length                              | \$ 86,082        |
| North Avenue            | Entire Length                              | \$ 78,902        |
| 10 <sup>th</sup> Avenue | Entire Length                              | \$ 91,150        |
| Terrace Avenue          | 7 <sup>th</sup> Ave to 8 <sup>th</sup> Ave | \$ 47,423        |
| Western Avenue          | College Ave to 7 <sup>th</sup> Ave         | \$ 36,160        |
|                         |  | <u>\$411,285</u> |

Add Alternate #1

| <u>Street Name</u> |                               | <u>Cost Est.</u> |
|--------------------|-------------------------------|------------------|
| Sebring Road       | 1100 Sebring to Fletcher Road | \$102,085        |

Add Alternate #2

| <u>Street Name</u> |               | <u>Cost Est.</u> |
|--------------------|---------------|------------------|
| Murray Drive       | Entire Length | \$ 80,132        |
| Forrest Drive      | Entire Length | <u>\$ 27,623</u> |
|                    |               | \$107,755        |

Add Alternate #3

| <u>Street Name</u> |                           | <u>Cost Est.</u> |
|--------------------|---------------------------|------------------|
| Maple Drive        | Walnut St to Beech St.    | \$ 62,545        |
| Walnut Street      | Maple Dr. to Chestnut St. | <u>\$ 45,161</u> |
|                    |                           | \$107,706        |

The bid will also include Sebring Road from PA Route 68 to Fletcher Road to obtain a cost basis for Duquesne Light Company to cover the cost of improvements to this road segment as part of their Excess Maintenance Agreement.

The 2020 Budget includes \$405,000 in the Liquid Fuels State Fund with the balance to be paid from the General and Capital Fund.

The Township Engineer reported that contract preparation is almost complete and bids should be scheduled to be due on March 6, 2020 at 2 p.m. with the opening of the bids set at 2:30 p.m. the same day. He explained that the Sebring Road project from PA Route 68 to Fletcher Road will be a separate contract as listed above.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to prepare the two (2) separate contracts for the 2020 Roadway Improvement Program as reviewed.

**Authorize Participation in the CoStars Salt Contract:** Estimated quantities for the 2020/2021 winter contract are due March 15, 2020 for the CoStars State Contract for rock salt. Last year the Township included 1,600 tons of salt in the CoStars Salt Contract. Mr. Dehart recommended that the Township change the amount to 1,800 tons and reduce the tonnage on the BCRCOG Bid due to greater purchase flexibility. The Township can purchase up to 140% of the estimated quantity and is obligated to purchase a minimum 60% of the estimated quantity.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize participation in the CoStars State Contract for rock salt with an estimated quantity of 1,800 tons.

**Police Policies & Procedures Manual Amendment:** Procedure 1.110 Audio & Video Recording Systems Retention has been prepared as an amendment to the Brighton Township Police Department Policies & Procedures Manual. This procedure establishes specific retention periods for audio and video recordings.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Procedure 1.110 Audio & Video Recording Systems Retention and also revise the Table of Contents to add this procedure.

**Ordinance – Amending Chapter 189 Prohibited Parking:** A draft ordinance has been prepared to amend Chapter 189 Vehicles and Traffic, Section 189-117 Parking Prohibited at all times. The amendment adds additional parking prohibition on streets. This includes: trucks, trailers or combinations in excess of 15,000 pounds; unregistered, uninspected or inoperable vehicles; and for the purpose of greasing, repairing or oiling vehicles. Currently all parking fines are \$15. It is recommended that the fines for items F and H be increased up to \$50.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Solicitor to advertise the ordinance for consideration of adoption by the Board at their meeting of March 9, 2020.

**Ordinance – Amending Chapter 138 Peace and Good Order:** At the October meeting a resident inquired about the noise restriction in Chapter 138 Peace and Good order. After review it is being recommended that Chapter 138 Peace and Good Order be amended to provide hours of noise reduction.

Chief Blinn would like the time frame of 11 p.m. to 7 a.m. to be included in the Ordinance as the Ordinance will be easier to enforce with a time frame included.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the Solicitor to advertise the ordinance for consideration of adoption by the Board at their meeting of March 9, 2020.

**School Resource Officer:** Beaver Area School District has requested a cost estimate for a police school resource officer at Dutch Ridge Elementary School during the 180-day school year. A cost estimate for a full-time police officer for the 180-day period has been calculated in the amount of \$84,728.20, which is 69.2% of the work year. Costs not included within the calculation include overtime, expense for a vehicle and expenses for training. The Township would be obligated to cover the balance of the year. There would be some cost offset to the Township due to reduced part-time hours during the 16 weeks of the non-school year. If the Beaver Area School District would be interested in pursuing this further after receipt of the cost estimate, the terms of an Agreement would need to be agreed upon by both parties that would cover the duties of the resource officer, terms of payment, terms when additional compensation is payable, minimum term, etc.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to release the above cost estimate to provide a School Resource Officer to the Beaver Area School District for the 180-day school year in the amount of \$84,728.20.

**DCNR Grant – Two Mile Run Park Trails:** The Township Engineer is preparing the design drawings and construction specifications for the Two Mile Run Park Trails project. Mr. Mitrovich reported that the plans should be completed in a few days and they will then be submitted to the DCNR for their review and approval. The Solicitor will need to complete certifications of ownership and certify that the specifications are in compliance with all applicable laws.

**DCNR Community Conservation Partnerships Program Grants:** Notification has been given that the 2020 DCNR grant cycle is open, with grants due April 22, 2020. The Board can determine if there is a specific project they wish to pursue. The one project that has been cost estimated is the renovation of the Social Hall.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the filing of an application to the DCNR for grant funding for the renovation of the Social Hall.

**Gypsy Glen Road & Sebring Road Slide Repairs:** The Township Engineer has prepared drawings and contract documents for repair of the slide area in the vicinity of 2615 Gypsy Glen Road. Areas of repair for a slide on Sebring Road also have had plans prepared. These projects will be a 2020 summer construction projects. The Gypsy Glen Road project will need to take place when school is out.

The Township Engineer reviewed the two (2) slide repair projects to be completed this year. He recommended that the projects be put out to bid as two separate contracts with Contract

A being the Gypsy Glen Slide Repair and Contract and Contract B being the Sebring Road Slide Repair Contract.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to advertise for bid the Gypsy Glen Slide Repair Contract A and the Sebring Road Slide Repair Contract B for a bid opening on March 6, 2020 with bids due at 2 p.m. and the opening of the bids set at 2:30 p.m. the same day.

**Sebring Road Paving:** Duquesne Light Company (DLC) is prepared to provide funding for the 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. The road segment will be included in the 2020 Road Paving Program Bid to secure a specific price for the project.

**Presentation and Training on Township MS4 Program:** The Township Engineer conducted a presentation, including annual educational training on the requirements of the Municipal Separate Storm Systems Program. The presentation included an overview of the current NPDES MS4 Permit and the annual tasks that are conducted pursuant to the permit requirements. The General Permit requires six (6) Minimum Control Measures (MCMs) to be implemented, and include:

- 1) MCM 1 Public Education and Outreach Program,
- 2) MCM 2 Public Involvement and Participation,
- 3) MCM 3 Illicit Discharge Detection and Elimination,
- 4) MCM 4 Construction Site Stormwater Runoff Control,
- 5) MCM 5 Post-Construction Stormwater Management (PCSM) in New and Re-Development Activities,
- 6) MCM 6 Pollution Prevention/Good Housekeeping.

The Engineer discussed the outfall inspection and illicit discharge detection & testing program, the construction site inspection process taking place, and the post construction inspection program that has been established. The Township also has a public inspection and outreach program that takes place. The Township also will be implementing the Pollution Reduction Program through specific projects that will be going out to bid this year.

**Stormwater BMP Operations & Maintenance Agreements:** Jon Holston has filed an individual small stormwater management BMP for construction of a detached garage at 325 Todd Road. The BMP to be constructed is a gravel sump.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Agreement for individual small stormwater management BMP submitted by Jon Holston for a detached garage at 325 Todd Road.

**Brighton Fields Phase I Stormwater Pond Retrofit:** The Township Engineer has been authorized to prepare the design drawings and bid documents for the retrofit of the Brighton Fields Phase I stormwater facility. This project is for the implementation of the Township's

Pollution Reduction Plan, necessary to comply with Federal/State Municipal Separate Storm Sewer System (MS4) regulations.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize release of bids with an opening on March 6, 2020 with bids due at 2 p.m. and the opening of the bids set at 2:30 p.m. the same day.

**Beaver Woods Stormwater Pond(s) Retrofit:** The Township has acquired the stormwater detention facilities and surrounding property 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 Pollution Reduction Plan. The Township Engineer reported that final surveying will be done within two (2) weeks. At that time it will be reviewed with the Township staff to determine the scope of the projects to be undertaken.

**Comprehensive Plan:** The second meeting of the study committee took place on January 30<sup>th</sup> for the preparation of a new Brighton Township Comprehensive Plan. A tabulation of the community survey was reviewed at that meeting. The next meeting to be scheduled will be a community-wide input meeting. The Township Manager reported that the next meeting will be held at Shultz Lodge and different tables will be set up to address specific areas of concern.

The Township previously received notice of a grant award from PA DCED in the amount of \$30,000 through the Municipal Assistance Grant Program. The contract document has been received and must be signed electronically.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Chairman and Secretary to electronically sign the Department of Community & Economic Development's grant contract documents electronically.

**Lenora P. Radler Plan:** Application has been filed for a two (2) lot subdivision of the Lenore P. Radler property located at 1925 Tuscarawas Road. Parcel "B" has the existing single-family home. The Residual Tract of 113 acres is undeveloped. A copy of the site plan prepared by Pringle-Nero Land Surveying dated November 21, 2019, the Township Engineer's review letter of January 2, 2020 and the Beaver County Planning Commission review letter dated January 7, 2020 were presented. Pringle-Nero Land Surveying has requested waivers from the Subdivision and Land Development Code as it applies to the Residual Tract.

At their meeting of February 3, 2020 the Brighton Township Planning Commission recommended approval of the Lenore P. Radler Plan as prepared by Pringle-Nero Land Surveying dated November 21, 2019 and to further recommend approval of the following waivers:

1. Waiver from Code Section 180-12.C.6 to not show the entirety of the parcel described by bearing and distance for Tax Parcel 55-153-0138.000 as it applies to the remnant parcel.

2. Waiver from Code Section 180-12.C.12 to not show the existing streets and right-of-way for Tax Parcel 55-153-0138.000 as it applies to the remnant parcel.
3. Waiver from Code Section 180-13.C.7 to not show the building setback lines for Tax Parcel 55-153-0138.000 as it applies to the remnant parcel.

The Township Manager noted that a deferred assessment with the Brighton Township Sewage Authority will need to be investigated and decided upon by the Authority.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to grant the three waivers as recommended by the Planning Commission and to approve the Lenore P. Radler Plan as prepared by Pringle-Nero Land Surveying dated November 21, 2019.

**Request for Building Waiver & Non-Building Declaration:** A Request for Planning Waiver & Non-Building Declaration has been filed for the Residual Tract of the Lenore P. Radler Plan. The Sewage Enforcement Officer has inspected the site and signed the waiver form. The Planning Commission reviewed and signed the form at their most recent meeting.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Chairman to sign the Request for Planning Waiver & Non-Building Declaration signifying that the plan is consistent with applicable Township codes.

**Schedule Annual Tire Collection Program:** The annual waste tire collection is conducted each September in cooperation with the Independence Conservancy.

Mr. Piccirilli made a motion, seconded by Mr. Piccirilli, vote unanimous to schedule the 2020 Tire Collection Program for Saturday, September 26, 2020 from 9 a.m. to noon.

**Additional Business:** The Township Solicitor reported that a hearing was conducted on January 16 in front of Judge Ross regarding the St. Barnabas land use appeal. Judge Ross has not yet reached a decision.

The Township Solicitor reported that six (6) citations were issued to ORREO II under the property maintenance code for failure to tear down an unsafe structure at 1221 Western Avenue in a specified time period. One of the citations was dismissed as it was for high grass and the grass was eventually cut. The other five (5) citations totaled \$1,500. ORREO II has filed an appeal. The Township Solicitor has received a letter from ORREO II's attorney, Nicholas Urick, with a proposed settlement. They will enter into an Agreement that the property will be demolished but they do not want to be responsible for any fines. The matter was discussed and the consensus was that some form of fine should be paid as part of a settlement.

After discussion, Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the Township Solicitor to negotiate a fine of \$300 to \$750 and to determine a deadline date for the demolition.



The Township has received competitive electric supply proposals through Premier Power Solutions, LLC. After review, Mr. Dehart recommended to contract for a period of two (2) years with UGI Energy for electric usage. There is a current contract with them. After discussion it was determined that Bid #2 for a 24 month term from UGI Energy be accepted. The projected savings is 19.19%.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept Bid #2 from UGI Energy as presented by Premier Power Solutions, LLC for a period of 24 months and to authorize the execution of a contract extension.

The Township Manager has secured a quote from Murphy Tractor & Equipment Co. for a 2020 John Deere 50G Compact Excavator in the amount of \$63,975.00. The quote includes three (3) buckets and one (1) clamp. The cost quote is through Sourcewell who does competitively awarded cooperative purchasing contracts on behalf of member agencies. The Solicitor has been asked to review Sourcewell and advise if the Township is authorized to purchase through this agency in lieu of a bid.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the quote from Murphy Tractor & Equipment Co. for a 2020 John Deere 50G Compact excavator in the amount of \$63,975 subject to the Solicitor confirming that the purchase is authorized through Sourcewell in lieu of a bid.

**Public Comment:** There was not public comment.

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

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

Respectfully submitted,

Bryan K. Dehart  
Township Secretary