

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

April 12, 2021

John Curtaccio, Chairman, called the regular meeting of the Board of Supervisors, located in the Municipal Building, 1300 Brighton Road, to order at 7:01 P.M. One (1) visitor was present.

PRESENT: John Curtaccio – Chairman
 Mark Piccirilli – Vice Chairman
 Bryan K. Dehart - Manager/Secretary
 Kathryn L. Johnston, Esq. – Solicitor
 Marie S. Hartman, P.E. - Township Engineer

ABSENT: James E. Equels, Sr. – Supervisor

Public Comment – Agenda Items: None

Declaration of Emergency Disaster: The Pennsylvania Emergency Management Agency previously recommended that all Townships adopt their own emergency declaration. Brighton Township put one into effect at the April meeting with an effective date of March 23, 2020.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to keep the declaration in effect until terminated.

Minutes of March 8, 2021 Regular Meeting & March 25, 2021 Special Meeting: Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve the minutes of the March 8, 2021 Regular Meeting and the March 25, 2021 Special Meeting conducting jointly with the Study Committee for the Indoor Recreation Center Feasibility Study prepared for the Social Hall.

Mr. Curtaccio dispensed with the reading of the monthly **March Reports**. Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to accept the following March Reports as written and submitted.

- A. Treasurer's Report
- B. Building Permit Report
- C. Road Department Report
- D. Police Department Report
- E. Fire Department Report
- F. Report of Tax Collectors
- G. Report of Fines

H. Recycling Report

Zoning Hearing Board Vacancy: There is a vacancy on the Zoning Hearing Board for a term ending December 31, 2022.

Parks & Recreation Board Vacancies: There are two (2) vacancies on the Parks and Recreation Board. One for a term ending December 31, 2021 and one for a term ending December 31, 2023.

Personnel Actions: **Police Department:** Chief Blinn has submitted a Charge of Suspension against Officer Donald Sanders under Department Policy and Procedure 3.400 – Disciplinary Procedures for violation of Rule 102 – Unbecoming Conduct. The recommendation is a 10-day unpaid workday suspension.

After review, Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve Chief Blinn’s recommended Charge of Suspension of a 10-day unpaid workday suspension against Officer Donald Sanders for violation of Rule 102 – Unbecoming Conduct.

Parks & Recreation: Jennifer Kramer has submitted a letter of resignation as the Two Mile Run Park custodian. Mr. Dehart advise that an advertisement was placed to recruit a new employee, and recommended that the Township hire Kristen Hodgen, 1180 Gypsy Glen Road, for the position at a starting rate of \$13.00 per hour subject to a background check and a probationary period of 180 days.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to accept the resignation of Jennifer Kramer.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to hire Kristen Hodgen as custodian for Two Mile Run Park at a rate of \$13.00 per hour subject to a background check and a probationary period of 180 days.

Seasonal Employment: Each year the Board approves the hiring of seasonal employees. Mr. Dehart told that Board that Charles Bates, 2785 Dutch Ridge Road is returning from last year.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve the hiring of Charles Bates as a seasonal employee at a rate of \$11.50 per hour.

Agreement of Sale for Tax Parcel No. 55-024-0200.000: The Township has negotiated the purchase of Tax Parcel No. 55-024-0200.000 located at the intersection of Dutch Ridge Road and Chapel Road. The property is owned by George W. Knox III and Nancy Jeanne Simmons. The purchase price is \$48,000. The property market value was determined to be \$49,000 based upon an appraisal completed by Deffenbaugh R.E. Appraisals. A Sales Agreement has been prepared by the owner’s agent. It has been reviewed by the Solicitor and found to be acceptable. A \$1,000 hand money check is to accompany the signed Agreement. The Solicitor’s office will function as the closing agent.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve and authorize execution of the Agreement of Sale with George W. Knox III and Nancy Jeanne Simmons for the purchase of Tax Parcel No. 55-024-0200.000 in the amount of \$48,000 and approving the issuance of a \$1,000 hand money check.

2021 Roadway Improvement Program: At the March meeting the Board awarded Contract No. 21-R01 2021 Roadway Improvement Program Bid Liquid Fuels to Youngblood Paving, Inc. in the amount of \$395,815.10 for the base bid and add alternates 1 and 2. The contract documents have been prepared by the Township Engineer for execution.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to authorize execution of the contract documents with Youngblood Paving, Inc. for Contract No. 21-R01 2021 Roadway Improvement Program Liquid Fuels.

The Engineer reported that a preconstruction meeting was conducted on April 6, 2021. Paving is expected to begin in the second half of June. Columbia Gas is to complete some work in the intersection area of Western and Eighth Avenues by that date.

Beaver County Regional COG 2021 Summer & Winter Commodities Bid: At the March meeting the Board authorized submitting estimated quantities for the 2021 Beaver County Regional COG Summer & Winter Commodities Bid. At this writing bid results were not available. Bids are scheduled for opening April 14th.

Summer Playground Program: A proposal in the amount of \$2,400 has been received from the YMCA of Beaver County to operate a six-week summer playground program from June 14 to August 6, Mondays to Fridays between the times of 10:30 AM to 1:30 PM. The YMCA has evaluated Hardy Field and has agreed to use that as the location for the program in lieu of Dutch Ridge School. The funding of this program is included in the 2021 Budget. The program was cancelled in 2020.

After review, Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to accept the proposal of the YMCA in the amount of \$2,400 to operate a summer playground program at Hardy Field and to authorize the Chairman to sign the proposal.

Resolution No. 2021-10 Adopting the Indoor Recreation Feasibility Study: Last year the Board appointed a Study Committee to prepare a feasibility study for the Social Hall at 5400 Dutch Ridge Road. The Study Committee presented the draft Feasibility Study at a joint meeting conducted March 25, 2021. The primary recommendations are to renovate the building and site to implement ADA requirements, energy conservation and sustainability construction principals. The primary uses of the building will be as an indoor recreation center for programming by the Parks and Recreation Board and as an indoor rental facility. The Study has been completed and is presented for adoption by the Board.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve Resolution No. 2021-10 adopting the Indoor Recreation Center Feasibility Study for the Social Hall property at 5400 Dutch Ridge Road.

Resolution No. 2021-11 PA DCNR Community Parks & Recreation Grant – Brighton Grange: An application to PA DCNR for a recreation and conservation grant program has been prepared requesting grant funds of \$250,000 for the renovation of the Social Hall property in accordance with the Indoor Recreation Center Feasibility Study. The project has been titled the Brighton Grange Renovation. The total project cost estimate is \$1,276,579. The Township’s financial match requirement is \$1,026,579.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to adopt Resolution No. 2021-11 authorizing the filing of the PA DCNR Community Parks & Recreation Grant to request funding of \$250,000 and authorizing signing of the financial commitment letter of \$1,026,579 by the Chairman.

Greenways, Trails & Recreation Grant Program: Applications are being accepted through the Greenways, Trails and Recreation Program through the DCED Single Application portal. Funding is through the Act 13 Marcellus Legacy Fund. The maximum funding is \$250,000. An application for the renovations at the Social Hall is being prepared and will be presented for approval at the May 10, 2021 meeting.

Proposal for Forestry Management: A proposal has been received from Hudson Forestry Services, LLC for forestry management services related to the Amore parcel that was recently acquired. The scope of work is included in the proposal, but generally includes the marking of timber, a tabulation of timber by species, size and board feet, marketing of timber to be sold, preparation of timber logging and E&S plans, and oversight of the project. The compensation is 13% of the total sale. The preliminary estimate of proceeds, based on acreage, is \$10,500 to \$14,000. A draft Agreement for these services has been prepared and was reviewed.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to engage Hudson Forestry Services, LLC pursuant to the terms of the Agreement, with the final form of Agreement to be approved by the Solicitor.

Tobacco and Nicotine-Free Parks: Information has been provided by Keystone Wellness Programs to make Township parks tobacco and nicotine free. They have reviewed the existing parks ordinance and have submitted a proposed Resolution for consideration. If implemented, they provide the signs for posting at the parks. Township ordinance does not specifically address smokeless tobacco as the Resolution does. Township parks are currently posted for no tobacco.

The Board discussed participation and requested that the Resolution be prepared for consideration at the May10, 2021 meeting.

Beaver Woods Stormwater Pond(s) Retrofit: The Township Engineer is designing the BMPs required to implement the Township's Pollution Reduction Plan for the Bradys Run watershed at the current location of the Beaver Woods Stormwater Pond. The Engineer reported that design continues and that a pre-application discussion took place with the PA DEP. A July bid phase appears to be on track.

Mr. Curtaccio ask the Engineer if some of the early work, such as dewatering the pond and removal of accumulated silt, for example, could be completed in advance by the Road Department to reduce project cost. This will be evaluated by the Engineer.

Two Mile Run Park Area PRP Stormwater Pond: An additional stormwater pond needs to be constructed or retrofitted to meet the full obligations of the Township's Pollution Reduction Plan (PRP) as part of the MS4 permit. A site at Two Mile Run Park has been proposed for this purpose. The Township Engineer said there is no change from the prior months report.

The Solicitor advised that the title search on the additional property be acquired for this project is not completed. She recommended that the deed be prepared and that a Sales Agreement be prepared for signature by the owner. The Engineer will provide the survey and legal description.

Mr. Curtaccio made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Solicitor to prepare and Agreement of Sale to be executed by the owner of the open space parcel within the Woodridge Heights Plan.

Township MS4 Program: The Township Engineer reported on activities for the Municipal Separate Storm Systems Program. The Township Engineer stated that inspections are continuing on existing development projects and reports issued. The annual inspection of the stormwater ponds and other BMPs have been completed and inspection reports have been issued.

DCNR Grant – Two Mile Run Park Trails: The Township Engineer has submitted to PA DCNR the preliminary design drawings and construction specifications for the Two Mile Run Park Trails project. The DCNR Project Manager has issued Approval to Proceed. The Engineer advised that the changes requested will require an amendment to the NPDES Permit issued previously due to an increase of impervious areas.

Excess Maintenance Agreement 2021-02: An over-posted weight hauling permit application and an Excess Maintenance Agreement has been filed by Trumco Forest Products for approximately 1.0 mile of roadway for Pine Grove Road. This is for a logging permit on Tax Parcel Nos. 55-152-162-0201.000 and 55-162-0201.001 owned by Randy Smith and David Daniel. An Over Posted Weight Hauling Permit was previously issued for this project.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve and authorize execution of Excess Maintenance Agreement No. 2021-02 with Trumco Forest Products for 1.0 mile Pine Grove Road.

Stormwater BMP Operations & Maintenance Agreements: Ryan J. & Betsy L. Eichhorn have filed an individual small stormwater management BMP for construction of a single-family home at 624 Midway Drive. The BMPs filed with the application include the construction of gravel sumps.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve the Agreement for individual small stormwater management BMP submitted by Ryan J. & Betsy L. Eichhorn for construction of a single family home at 624 Midway Drive.

Memorandum of Understanding with Marathon Pipe Line LLC: Marathon Pipe Line LLC is planning the construction of a new pipeline within Brighton Township that will cross two Township roads and access other roadways during project construction. A proposed Memorandum of Understanding (MOU) with Marathon Pipe Line, LLC to address the requirements for the scope of work was previously prepared and reviewed. The final item remaining was the limits of repairs in the event of damage. The repairs are to be made to industry standards and all damaged areas are to be repaired and/or replaced.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve and authorize execution of the MOU with Marathon Pipe Line LLC.

Resolution No. 2021-12 Accepting Dedication of Right-of-Way Area on Western Avenue: As part of the Clover Development site plans, they have offered to dedicate additional right-of-way along Western Avenue, and an area for a cul-de-sac or turn around area. At the March meeting the Board authorized the Solicitor to prepare a Resolution to accept this offer of dedication. The Resolution has been prepared and was presented for approval

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve Resolution No. 2021-12 accepting the offer of dedication of additional right of way on Western Avenue from Clover Development.

Resolution No. 2021-13 Approving the Disposition of Specific Public Records: The Board previously adopted the Municipal Records Manual providing the retention schedule for public records. Resolution No. 2021-13 authorizes the disposition of certain public records specified therein.

Mr. Curtaccio made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2021-13 authorizing the disposition of the records specified therein.

Hallam Plan of Subdivision (Lot 2 Residual of Grimes Plan): Application has been filed for a subdivision of Lot 2 Residual Lot in the Grimes Plan of Subdivision. Lot 2B has an existing home and Lot 2C (5.09 Acres) is proposed as a new building lot. Lot 2 Residual is 87 +/- Acres and has a non-building waiver. The Board reviewed a copy of the site plan from Pringle-Nero Land Surveying, Inc. and received copies of the Beaver County Planning Commission review letter of January 6, 2021 and the Township Engineer's letter of March 9, 2021 advising that the plan has been revised in accordance with their prior review. The PA DEP sewage planning module approval has been received.

The Brighton Township Planning Commission, at their meeting of April 5, 2021 recommend approval of the Hallam Plan of Subdivision, A Subdivision of Lot 2 Residual Revised as Shown on the Grimes Plan of Subdivision as prepared by Pringle-Nero Land Surveying, Inc. dated November 25, 2020 and last revised March 5, 2021.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve the Hallam Plan of Subdivision, A Subdivision of Lot 2 Residual Revised as Shown on the Grimes Plan of Subdivision as prepared by Pringle-Nero Land Surveying, Inc. dated November 25, 2020 and last revised March 5, 2021 and authorize plan recording.

Lang Plan of Subdivision: This is a two lot subdivision on Barclay Hill Road. The plan creates Parcel "A" with the existing dwelling and consisting of 4 acres. The Residual Tract of 90.1 acres has access to Barclay Hill Road and frontage on Todd Road. A Non-Building Declaration has been placed on the Residual Tract. The Board received a copy of the site plan prepared by Pringle-Nero Land Surveying, the Beaver County Planning Commission review comments of February 23, 2021, and the Township Engineer's review comments by letter of February 4, 2021.

At their meeting of April 5, 2021 the Brighton Township Planning Commission recommended approval of the Lang Plan of Subdivision as prepared by Pringle-Nero Land Surveying, Inc. dated January 19, 2021 and last revised March 29, 2021.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approval of the Lang Plan of Subdivision as prepared by Pringle-Nero Land Surveying, Inc. dated January 19, 2021 and last revised March 29, 2021 and authorize plan recording.

Request for Planning Waiver & Non-Building Declaration Lang Plan: A Request for Planning Waiver & Non-Building Declaration for the Residual Tract of the Lang Plan has been submitted. The form has been signed off on by the Sewage Enforcement Officer and the Brighton Township Planning Commission.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve the Request for Planning Waiver & Non-Building Declaration for the Residual Tract of the Lang Plan and authorize the Chairman to sign the form stating that the request is consistent with Township land development codes.

R.E.D. Mantini, LLC Grading Permit - Bond Release Request No. 4: R.E.D. Mantini, LLC posted a bond for their grading permit at the construction site of the new State Police Barracks. A request for Bond Release No. 4 has been made. The Township Engineer stated that the only item remaining is the removal of the E&S Controls. She recommended that that line item in the amount of \$10,000 be moved to the site development bond and that a full release of \$22,034.59 from the grading bond be made.

R.E.D. Mantini, LLC PSP Barracks Site Development - Bond Release Request No. 2: R.E.D. Mantini, LLC has also made a request for Bond Release No. 2 from the site

development bond. The Township Engineer stated that a site inspection was conducted last week and a release of \$161,531.70 is recommended, for a remaining balance of \$127,517.67. This balance includes the line that was transferred from the Grading Bond.

Ms. Hartman said that she did receive a call from Mr. Mantini today requesting that the release be increased to include the construction of the access road to the stormwater pond that was completed over the weekend. This will increase the release by \$23,100.

Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to approve Bond Release No. 4 as a full release of the grading bond, and to approve Bond Release No. 2 from the site development bond in an amount not to exceed \$184,631.70 subject to an inspection and confirmation by the Township Engineer.

Aspen Fields Phase I Stormwater Pond – BMP Agreement: A Stormwater BMP Operations and Maintenance Agreement for the stormwater pond in the Aspen Field Phase I Plan has been prepared for execution by the Aspen Fields HOA. They are in possession of the Agreement and execution is pending. The management company has advised that the HOA legal counsel has approved the Agreement for execution. After the execution of the Agreement the Township can also move forward with the acceptance of the storm sewers in Phase I. No action is necessary at this time, pending receipt of the HOA Stormwater BMP Maintenance Agreement.

Aspen Fields Phases II, III and IV Dedication Request: The Developer has requested that all remaining public improvements in Aspen Fields Phases II, III and IV be accepted for dedication. This request covers the stormwater collection systems. Stormwater Ponds 2 and 3 have not yet been turned over to the HOA. Thereafter, Stormwater BMP Maintenance Agreements will need executed with the HOA before the storm water systems can be accepted.

Additional Business: The Township Solicitor reported that closing on the property at 1400 Brighton Road scheduled for Thursday pending two items that need addressed in advance. She will keep the Township informed.

Mr. Piccirilli expressed appreciation to the members of the Feasibility Study Committee for their work in the preparation of the plans and report. Those members include Karen Green, Planning Commission, Selina Blinn, Parks & Recreation Board, Craig Nunamaker, Brighton Township Volunteer Fire Department, Sean Denny, Cubmaster, Pack 499 and Bryan K. Dehart, Township Manager. Mr. Piccirilli also served on the Study Committee.

Mr. Piccirilli recommended the dress code to be business casual for the Board meetings from May through September. Mr. Curtaccio agreed.

Mr. Curtaccio provided an update on Mr. Equels who is improving and is looking forward to returning to the meetings.

Public Comment: There was no public comment.

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

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Curtaccio, vote unanimous, to adjourn the meeting at 7:54 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary