

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

April 11, 2022

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
 Mark Piccirilli – Vice Chairman
 James E. Equels, Sr. – Supervisor
 Bryan K. Dehart - Manager/Secretary
 Marie S. Hartman, P.E. - Township Engineer
 Kathryn L. Johnston, Esq. – Solicitor

Public Comment – Agenda Items: None

Minutes of March 14, 2022 Regular Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the March 14, 2022 Regular Meeting.

Mr. Curtaccio dispensed with the reading of the monthly **March Reports**. Mr. Piccirilli made a motion, seconded by Mr. Equels, 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 – no report
- F. Report of Tax Collectors
- G. Report of Fines
- H. Recycling Report

Seasonal Employment: Each year the Board approves the hiring of seasonal employees. Mr. Dehart recommended that the Board approve the hiring of Lesley Brightwell, 300 McKinley Road, Beaver Falls (returning) at the rate of \$13.00 per hour, Hayden Wilson, 960 Grange Road and Tanner Robinson, 120 Eric Drive as seasonal employees at a rate of \$11.00 per hour.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the hiring of seasonal employees Leslie Brightwell at \$13.00 per hour and Hayden Wilson and Tanner Robinson at a rate of \$11.00 per hour.

Ratify New Account: A new account, Toth Fire Escrow, was established pursuant to the Township's Fire Loss ordinance, requiring the establishment of a new savings account for the escrow deposit.

Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to ratify the opening of the Toth Fire Escrow savings account at First National Bank with the Board of Supervisors and Township Treasurer as authorized signatures on the account.

Authorize Bid for Sale of Dump Truck: The Township has accepted delivery of a new vehicle to replace the 2014 F550 dump truck, which can now be placed for sale. The truck has a 9-foot stainless steel dump body and will be sold with a 9-foot Western Plow and 8-foot Super P stainless v-box spreader. A minimum bid of \$35,500 was recommended by Mr. Dehart.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the release of bids for the sale of the 2014 F550 dump truck with plow and spreader, and to set the minimum bid at \$35,500.

Approve Quotations for Police Equipment: Police Weapons – Three (3) quotes for replacement of police firearms have been received. The replacements are part of the 2022 Budget. The quotes for 18 Glock 45s with sites and holsters, less the trade value of the existing weapons are as follows:

Markl Supply Company, Inc.	\$13,283.10
Atlantic Tactical	\$13,298.40
Witmer Public Safety Group	\$13,725.72

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the quotation from Markl Supply Company, Inc. for the purchase of the quoted weapons and accessories, and to accept their trade-in offer for the existing weapons.

Drone – A quote in the amount of \$7,294 from DSLR Pros for the purchase of a drone with thermal sensor and zoom camera is enclosed. This equipment can be used for search and rescue as part of Project Lifesaver program, and for related functions/operations. Funding will be from the PILOT Agreement with Valley Medical Facilities, Inc.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the quotation from DSLR Pros in the amount of \$7,294 for the purchase of the quoted equipment.

Approve LPR Installation at Brighton Road & Dutch Ridge Road: Last year the Township completed the installation of a License Plate Reader (LPR) system at the intersection of Brighton Road, Sebring Road, and Tuscarawas Road. A quote from Security Consulting Solutions Inc. has provided a quote in the amount of \$10,580 for installation of a similar system at the intersection of Brighton Road and Dutch Ridge Road. Mr. Dehart said that some of the estimated costs for trenching and pole setting can be eliminated if the work is completed by Public Works. Power and internet service will be from the new police department building. A Penn D.O.T. Highway Occupancy Permit will need to be secured prior to the poles being installed.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the quotation from Security Consulting Solutions Inc. in the amount of \$10,580 for installation of a LPR system at the intersection of Brighton Road and Dutch Ridge Road.

Electric Contract: The Township's current contract with UGI Energy expires at the beginning of May. Electric quotes for electric energy purchase through an energy broker, Premier Power Solutions, and from IGS Energy were presented and reviewed for consideration. Premier Power had quotations from six (6) of eight (8) companies solicited for periods of 12, 24, and 36 months. A quotation for similar periods was obtained from IGS. Duquesne Light Company will still bill for transmission charges. Energy prices are high and volatile at this time. Prices over current rates in the expiring contract are significantly higher. After review and discussion, it was decided to select the low quote from Hudson Energy for a 36-month period. Billing will be through Duquesne Light Company.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the quotation of Hudson Energy for energy purchase for a 36-month period at a market rate of .08070per kWh without gross receipts tax and authorizing the Township Manager to execute contract documents on behalf of the Township.

Award Bid for 2022 Roadway Improvement & Paving Program: Bids for the 2022 Roadway Improvement Program with an Add Alternate for the Police Department parking lot were opened on April 7, 2022. The bid tabulation is as follows:

<u>Contactor</u>	<u>Base Bid Total</u>	<u>Add Alternate No. 1</u>
Youngblood Paving, Inc.	\$342,717.00	\$ 94,944.50
Shields Asphalt Paving, Inc.	\$407,850.00	\$210,742.42

The Township Engineer recommended that the Board award the bid to Youngblood Paving, Inc. for the Base Bid (\$342,717) and Add Alternate No. 1 (\$94,944.50) in the total amount of \$437,661.50.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to award the bid to Youngblood Paving, Inc. for the Base Bid (\$342,717) and Add Alternate No. 1 (\$94,944.50) in the total amount of \$437,661.50 and authorizing the preparation and execution of the Contact documents by the Chairman and Manager upon receipt.

Beaver County Regional COG 2022 Summer & Winter Commodities Bid: At the March meeting the Board authorized the inclusion of estimated quantities for the 2022 Beaver County Regional COG Summer & Winter Commodities Bid. Bid opening for the 2022 Beaver County Regional COG Summer & Winter Commodities Bid is scheduled for April 13th.

Contract No. 21-M1 Municipal Building HVAC Unit Replacement: At the August meeting the Board awarded Contract No. 21-M1 Municipal Building HVAC Unit Replacement to Guy's Mechanical Systems, Inc. in the amount of \$21,400. The equipment has been installed. The

Township Engineer presented for approval Partial Payment No. 1 and Partial Payment No. 2 (FINAL) as follows:

Contract Amount:	\$21,400.00
Partial Payment No. 1	(\$19,260.00)
Partial Payment No. 2 (Final)	<u>(\$ 2,140.00)</u>
Balance Due:	\$ 0.00

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Partial Payment No. 1 in the amount of \$19,260 and Partial Payment No. 2 (FINAL) in the amount of \$2,140 to Guy's Mechanical Systems, Inc.

Contract No. 21- PK1 Two Mile Run Park Trails Development: The Board previously awarded Contract No. 21-PK1 (BRC-PRD-24-229) Two Mile Run Park Trails Development to LM&R Excavating, LLC in the total amount of \$335,350. The Engineer reported that the project construction is progressing. The benches and signs have been installed. Paving of the final trail segment is pending weather. It will be completed this spring.

Contract No. 22-R02 Westview Drive Guiderail Installation: At the February meeting the Board awarded the bid for the Westview Drive Guiderail Installation to Green Acres Contracting, Inc. in the amount of \$39,285. The installation of approximately 1,020 LF of guiderail installation along Westview Drive has been completed. The Engineer said a pay request will be processed for the next meeting.

Agreement for Timber Harvest Chapel Road Property: At the March meeting the Board executed the Agreement with JB Mill and Fabricating, Inc. for the timber harvest on Chapel Road. Payment in full has been received. At this time, JB Mill has not advised of a proposed harvest date.

Termination of Lease Agreement: The Township previously entered into a Lease Agreement with Valley Medical Facilities, Inc. for use of the ballfield located on the hospital property. That field is no longer used by the athletic groups, and there is no need for the Township to continue to maintain the facility. The Agreement calls for a 30-day termination notice, with notice given on March 28th.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to ratify the termination of the Lease Agreement with Valley Medical Facilities for the ballfield located on the hospital property.

DCED Greenways, Trails and Recreation Program Grant: At the February meeting the Board authorized the filing of a 2022 DCED Greenways, Trails and Recreation Program Grant to request \$250,000 for development of the Two Mile Run Park Trails project. This application will be presented for approval at the May meeting.

Beaver Woods Stormwater Pond(s) Retrofit: The Township Engineer has designed 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. Ms. Hartman advised that the Chapter 105 and NPDES permit applications have been submitted and comments have been received. LSSE is preparing responses to those comments.

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. At the March meeting the Engineer proposed a new location for the stormwater pond. Stream bank restoration is also part of the project. The owners of the property at the new location have been contacted and have agreed to sell the property needed to the Township.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Engineer to prepare a plan of subdivision for the needed property, and to authorize the Township Manager to secure an appraisal needed for the property acquisition.

The Engineer said that geotechnical work will be needed for the site. The proposal previously accepted for this work at the original pond location being investigated will be used for this project.

Comcast Franchise Agreement: The prior Comcast Franchise Agreement has expired, but it was agreed to continue to operate under the terms of the prior agreement due to the inability to meet on a new Agreement. The Solicitor has been in contact with Jennifer M. Cloonan, Director, External & Government Affairs for Comcast – Keystone Region, and advised that no new information is available.

Township MS4 Program: The Township Engineer provided an update on the Municipal Separate Storm Systems Program. Annual BMP reviews are scheduled for April 20th. Site inspections of active construction sites are being done.

Stormwater BMP Operations & Maintenance Agreements: Peter & Renee Wilson have filed an individual small stormwater management BMP for construction of a single family home and detached garage at 960 Grange Road. The BMP filed with the application includes the construction of a vegetative rain garden. This will replace a previously recorded Agreement.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Agreement for individual small stormwater management BMP submitted by Peter and Renee Wilson for construction of a single family home and a detached garage at 960 Grange Road.

John Bradley Homan & Tammy Homan have filed an individual small stormwater management BMP for construction of a single family home at 132 Glenfield Drive. The BMP filed with the application includes the construction of 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 John Bradley Homan and Tammy Homan for construction of a single family home at 132 Glenfield Drive.

Brian Murtha has filed an individual small stormwater management BMP for construction of a detached garage at 117 McKenney Drive. The BMP filed with the application includes the construction of 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 Brian Murtha for construction of a and a detached garage at 117 McKenney Drive.

Aspen Fields Phase IV Maintenance Period: The maintenance period for the public streets in Aspen Field Phase IV expires April 12, 2022. The Engineer reported that a final was conducted and punch list prepared by letter of March 14, 2022. The Developer has been notified of the required actions needed prior to release of the maintenance bond. The Developer has advised that Youngblood Paving has been contracted to complete the items on the punch list. The work is still pending.

Additional Business: The Engineer advised that three (3) projects were reviewed for expiration of 18-month maintenance bonds. The contracts are: Contract No. 20-R03-2020 Slide Repairs Contract A Gypsy Glen (Stefanik's Next Generation Contracting Co., Inc.); Contract No. 20-R03-2020 Slide Repairs Contract B Sebring Road (A. Folino Construction, Inc.); and Contract No. 20-SW1 Brighton Fields – Phase I 2020 Stormwater Improvements. No punch list items were identified and she advised that the maintenance bonds can be permitted to expire.

Public Comment: Jill Evans of 110 Coleman Drive appeared and advised the Board that she was in favor of the Township permitting homeowners to own chickens throughout the Township. She presented an on-line petition on this subject. She noted that there were some detractors and she also prepared proposed conditions to address those concerns.

Pam Miller of 103 Northview Circle also supported the proposal to permit chickens. She noted that the regulations prohibiting roosters, restricting the number of hens based on acreage and requiring the chickens to be penned would allow homeowners to have chickens without creating negative impacts for neighbors. She said that they want to follow the rules of the Township.

Helen Irene Count-Wayt of 3550 Tuscarawas Road also supported the ownership of chickens. She said she has 8-acres but not enough to own chickens. She said she was told 10-acres are needed but others are saying only 3-acres are needed. Mr. Dehart explained that in the R-2 and SC-1 zoning districts a homeowner can have chickens on a minimum lot size of 3-acres. In an R-1 zoning district chickens are not permitted. However, a farm use is permitted in an R-1 zoning district on 10-acres, which would permit chickens.

Ms. Count-Wayt also stated that she would like to have sidewalks on Tuscarawas Road so people could walk and visit neighbors.

Mr. Curtaccio thanked each of them for attending. He noted that there are also people who do not support having chickens in residential areas. Unfortunately, not everyone who has chickens is a responsible owner and do not properly maintain the area or control. He noted that the Township does periodically have to address complaints about chickens. Since chickens are regulated in the

Zoning Code, he recommended that they take their request to the Planning Commission for review and consideration.

Charles Snitger, Jr. of 925 Tuscarawas Road appeared before the Board. He reminded them that he was in attendance last August concerning Dogwood Lane, a private lane for access of five (5) residences. Last year the lane was paved and one (1) of the owners refused to financially participate in the payment of the improvement. Mr. Snitger confirmed that there is a private maintenance agreement recorded. Last August, Mr. Snitger was advised that a private maintenance agreement for a private lane will need to be enforced privately, not by the Township. He was looking for an affirmative statement in the minutes that each of the properties covered by the maintenance agreement is equally responsible.

Ms. Johnston advised Mr. Snitger that he should hire his own attorney to send something to the non-participating member of the maintenance agreement, that it is not the Board's position to give legal advice.

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

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adjourn the meeting at 8:12 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary