

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

June 13, 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. Two (2) 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 May 9, 2022 Regular Meeting:** Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the May 9, 2022 Regular Meeting.

Mr. Curtaccio dispensed with the reading of the monthly **May Reports**. Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the following May 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

**Personnel Actions:** **Police Department** – Officer Kevin Margetic has submitted a letter of resignation from full-time employment. However, he does wish to continue in a part-time capacity. His last day of employment as a full-time officer is June 30, 2022.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the resignation of Officer Margetic as a full-time officer effective after his last scheduled full-time shift on June 30, 2022 and to retain him as a part-time police officer effective July 1, 2022 at a rate of \$22.00 per hour.

Police Department: Chief Blinn has recommended that the Board of Supervisors hire Steven J. Ward, 118 Crandon Circle, as a full-time police officer effective June 30, 2022 to fill the vacancy created by the resignation of Officer Margetic. Officer Ward is currently employed as a part-time officer.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the hiring of Steven J. Ward as a full-time police officer effective June 30, 2022 subject to a 180 day probationary period, with wages and benefits as provided for in the Agreement between Brighton Township and the Brighton Township Police Officers Association.

Seasonal Employment: Each year the Board approves the hiring of seasonal employees. It is recommended that the Board approve the hiring of Benjamin Huffman, 120 Spruce Street, as a seasonal employee at a rate of \$11.00 per hour.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the hiring of seasonal employee Benjamin Huffman a rate of \$11.00 per hour.

**Contract No. 22-R01 2022 Roadway Improvement & Paving Program:** At the April meeting the Board awarded the paving contract to Youngblood Paving, Inc. in the total amount of \$437,661.50. The contract documents have been executed. The Engineer said that a pre-construction meeting was conducted on June 9<sup>th</sup>. A tentative start date is late August.

**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. Project construction is completed and a final walkthrough has been conducted. Retainage is held for the establishment of vegetative growth in disturbed areas. Seeding has been completed.

The Township Engineer presented and recommended approval of Partial Payment No. 4 from LM&R Excavating, LLC as follows:

|                           |                       |
|---------------------------|-----------------------|
| Contract Amount:          | \$335,350.00          |
| Work Performed to Date:   | \$332,100.00          |
| Less Retained Amount:     | (\$ 16,605.00)        |
| Less Previous Payment(s): | <u>(\$276,542.50)</u> |
| Payment Due:              | \$ 38,952.50          |

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Partial Payment No. 4 to LM&R Excavating, LLC in the amount of \$38,952.50.

**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. JB Mill has begun to submit documents for the timber harvest permit and road agreements. However, they have not advised of a proposed harvest date.

**Resolution No. 2022-18 Authorizing Collection of Interim Real Estate Taxes:** The Beaver County Assessment Office has prepared a listing of interim real estate tax assessments dated May 19, 2022. Resolution No. 2022-18 has been prepared by the Township Solicitor directing the Real Estate Tax Collector to collect taxes on certain interim assessments received from the Beaver County Assessment Office.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2022-18 directing the Real Estate Tax Collector to collect Interim Real Estate Taxes as listed therein.

**Refuse & Recycling Fee Adjustment:** Year 3 of the refuse contract with J. Young Refuse begins July 1, 2022 and the new base rate will be \$11.93 per month. The contract also contains provisions for a Fuel Cost Adjustment. A calculation has been prepared for fuel cost based upon OPIS price postings and in accordance with the formula included in the contract documents. Mr. Dehart noted that fuel has increased nearly 275% since the start of the contract. The calculation results in an increase of \$1.80 per month, based on the contract start date. As a result of the calculations, the new rate calculation is as follows:

|  |                |
|--|----------------|
| Base Rate July 1, 2022 to June 30, 2023                | \$11.93        |
| Fuel Cost Adjustment calculated effective July 1, 2022 | <u>\$ 1.80</u> |
| Monthly Refuse Rate effective July 1, 2022             | \$13.73        |
| Quarterly Refuse Rate effective July 1, 2022           | \$41.19        |

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the revised refuse and recycling fee of \$13.73 per month effective July 1, 2022.

**Request for Exemptions from Refuse Program 2022-2023 Contract Year:** Each year the Board reviews requests for exemption from the refuse program for the next year. The Board was provided with the list of residents who have requested exemptions.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the exemption requests of the twelve persons who submitted the documentation.

**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 permits are still pending. Additional review comments were received from the PA DEP. LSSE will respond 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 Engineer reported at the prior meeting that a meeting was held with the owners on Shadylane in the area of the project. They oppose the project in the area immediately behind their homes. The Engineer presented alternate locations and design options in the same area. A total of five (5) options were reviewed,

including the initial proposal. Cost estimates ranged from \$410,281 to \$1,517,344. Ms. Hartman noted that the options have not been designed and no geotechnical work has been conducted. Estimates included engineering and permitting. Three (3) options require the relocation of the existing water and sewage lines. Due to permitting, some project would no be able to be constructed until the end of 2023 or 2024.

Mr. Curtaccio thanked the Engineer for the report and project options. He said the Board would take the report under review prior to making a determination.

**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. The Solicitor reported that a new contact has been provided and a draft Agreement provided for review. Ms. Johnston said there are changes in the Agreement that she will review with the Manager. After that review she will prepare a response to Comcast.

**Township MS4 Program:** The Township Engineer provided an update on the Municipal Separate Storm Systems Program. Annual BMP reviews have been conducted and a report issued. Annual outfall sampling has been done with the lab results pending. Site inspections of active construction sites are being done.

**Doughty Plan of Lot Consolidation:** Application has been filed by Richard S. & Vanessa R. Doughty to consolidate Lot Nos. 350 and 351 in the Brighton Fields Phase 3B Plan into one (1) lot. The Board reviewed the site plan prepared by Pringle-Nero Land Surveying, Inc. dated April 22, 2022, the Township Engineer's review comments dated June 2, 2022 and the Beaver County Planning Commission review letter dated May 31, 2022. At their meeting of June 6, 2022, the Planning Commission recommended approval of the Doughty Plan of Lot Consolidation as prepared by Pringle-Nero Land Surveying, Inc. dated April 22, 2022, subject to compliance with the Township Engineer's review comments dated June 2, 2022. Mr. Dehart said that a revised plan has been submitted with the required changes.

After review, Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Doughty Plan of Lot Consolidation as prepared by Pringle-Nero Land Surveying, Inc. dated April 22, 2022 and to authorize recording of the plan.

**Aspen Fields Phase IV Maintenance Period:** The maintenance period for the public streets in Aspen Field Phase IV is expiring. The Township Engineer. By letter of May 13, 2022 has advised that all punch list items on the LSSE report dated March 14, 2022 have now been addressed.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize release of the maintenance bond for Aspen Fields Phase IV.

**Additional Business:** There was no additional business.

**Public Comment:** Mr. John Raught, 655 Sebring Road, stated that he had heard the Township was considering changing the zoning regulations for the keeping of chickens. He stated that he is opposed to allowing chickens in residential areas. Mr. Curtaccio advised that residents had requested changes to permit chickens on smaller lots. The matter has been referred to the Planning Commission for review and recommendation.

Mr. John Kramer, 5330 Tuscarawas Road, inquired if the neighboring property has an issue with their on lot sewage system. He stated that they have a port-a-john on site most of the year, with the exception of winter. He would like the Township to regulate the duration of port-a-johns can be kept on a property. He understands the need for special events, such as a graduation party, or new construction. However, in his case, he has a shared access with the neighbor and the port-a-john is located where he accesses his property. Mr. Curtaccio recommended that he discuss this with the Planning Commission.

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

**Adjournment:** Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adjourn the meeting at 7:45 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Secretary