

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

March 13, 2023

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. Four (4) 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:** There was no public comment.

**Minutes of February 13, 2023 Regular Meeting:** Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the February 13, 2023 Regular Meeting.

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

**Announce Executive Session:** Mr. Curtaccio announced for the record that an executive session for the purpose of discussing personnel was conducted on March 8, 2023 from 2:40 P.M. to 3:00 P.M. Present were the Chairman, Vice-Chairman, Manager and Chief of Police.

**Personnel Actions:** Police Department - Job Descriptions – The job description for the position of Captain has been updated, and a new job description for the position of Detective Sergeant has been created. The job descriptions were presented for Board review and approval.

After review, Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the job descriptions of Captain and Detective Sergeant.

Police Department – Promotions: It was noted that Captain Benedict will retire at the end of March and that Sgt. Bernardi’s position was not filled at his retirement.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to promote Sergeant Richard Gianvito to Captain effective April 1, 2023 subject to a six (6) month probationary period and compensation as provided for within the Agreement between Brighton Township and the Brighton Township Police Officers Association.

Mr. Equels made a motion, seconded by Mr. Piccirilli to promote Patrolman Joshua Curtaccio to Sergeant effective April 1, 2023 subject to a six (6) month probationary period and compensation as provided for within the Agreement between Brighton Township and the Brighton Township Police Officers Association. The vote to approve the motion was approved with two “YES” votes by Messrs. Equels and Piccirilli and one “ABSTAIN” vote by Mr. Curtaccio. Mr. Curtaccio abstained from voting due to conflict of interest as Joshua Curtaccio is his son.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to promote Patrolman Eric Schwartz to Detective Sergeant effective April 1, 2023 subject to a six (6) month probationary period and compensation as provided for within the Agreement between Brighton Township and the Brighton Township Police Officers Association.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to promote Patrolman Joshua Krizan to Sergeant effective April 1, 2023 subject to a six (6) month probationary period and compensation as provided for within the Agreement between Brighton Township and the Brighton Township Police Officers Association.

Seasonal Employment: Each year the Board approves the hiring of seasonal employees. Mr. Dehart recommended that the Board approve the hiring of Noah Burris, 445 Engle Road, Industry as seasonal employee (returning) at a rate of \$12.00 per hour. Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the hiring of Noah Burris as a seasonal employee at the rate of \$12.00 per hour.

**Bid for 2023 Paving & Roadway Improvement Program:** At the February meeting the Board authorized the Township Engineer to prepare and release bid for the 2023 Roadway Improvement Program. The following roads were authorized for inclusion:

<b>Base Bid:</b>		<u>Cost Est.</u>
<u>Street Name</u>		
Ridgeview Drive	Tuscarawas Rd to Laurel Dr (reconstruction)	\$131,567
Ridgeview Drive	Laurel Dr to end	\$ 37,078
Sebring Road	Matthews Dr to 1100 Sebring Rd	\$138,938
Highland Woods Dr	Entire Length	\$ 83,427

<u>Scratch Coat Only with Seal Coat by Township</u>		
Todd Road	Sebring Rd to end	\$ 32,407
	Estimated Total Base Bid:	\$423,417

<u>Add Alternate No. 1</u>		
BTMA Parking Lot		\$ 32,769

<u>Add Alternate No. 2 - Scratch Coat Only with Seal Coat by Township</u>		
Todd Road	Barclay Hill Rd to 320 Todd Rd	\$ 56,324

<u>Add Alternate No. 2 - Scratch Coat Only with Seal Coat by Township</u>		
Todd Road	320 Todd Rd to 450 Todd Rd	\$ 29,061

Bids have been released for opening at 11:00 A.M. on April 4, 2023.

**Authorize Participation in the Beaver County Regional COG 2023 Summer & Winter Commodities Bid:** Estimated quantities for the 2023 Beaver County Regional COG Summer & Winter Commodities Bid are due. The Township Manager reviewed the bid sheets with the Road Foreman and recommend that the Board include the following estimated quantities in the bid estimate:

River Gravel Size No. 57	200 Tons
Limestone Size No. 2A	1,200 Tons
Limestone Size No. 8	600 Tons
Limestone Size No. 1	100 Tons
Limestone Size No. R4	200 Tons
Limestone Size No. R6	200 Tons
Liquid Asphalt – E-1 Prime	2,000 Gallons
Liquid Asphalt – CRS-2 (E-3)	30,000 Gallons
Ultra-Low On-Road Diesel Fuel	16,000 Gallons
Unleaded Gasoline (87 Octane)	17,500 Gallons
Rock Salt	600 Tons
Anti-Skid Type 3A (AS1)	400 Tons

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize participation in the 2023 Beaver County Regional COG Summer & Winter Commodities Bid for the materials and quantities as listed.

**Contract No. 22-ST01 2022 Stormwater Improvements (Beaver Woods Detention Pond):** At the November meeting, the Board awarded the bid for the Beaver Woods Detention Pond Retrofit Project to Pride Masonry, Inc. for the Base Bid (\$197,350) and Add Alternate No. 2 (\$48,750) for a total bid award of \$246,100. The Township Engineer reported that an on-site

meeting was conducted on March 10<sup>th</sup> with a representative of PA DEP to review all E&S controls that were in put in place. They also reviewed the requirements of the NPDES Permit. Weather permitting, work will begin this week. Construction is expected to be four (4) or five (5) weeks in duration.

**Social Hall Renovation Project:** The architect and engineer are proceeding with final design drawings for the Social Hall renovation project. The Township Engineer advised that advertisements for bids are to be released this week, with a bid opening to take place prior to the Board's April 10<sup>th</sup> meeting.

**DCNR Community Conservation Partnerships Grant Program:** The 2022 DCNR grant cycle is open, with grant applications due April 5, 2023. The Board has authorized the preparation of an application for the Two Mile Run Trails Phase II project and has authorized an appraisal to determine if a land acquisition application would be warranted. Both projects are proceeding. Mr. Dehart said there is no scheduled Board meeting prior to the April 5<sup>th</sup> deadline for filing and requested that the Board schedule a meeting.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to schedule a special meeting on Monday, March 27<sup>th</sup> at 3:30 P.M.

**Resolution No. 2023-11 PA Act 537 Sewage Facilities Plan Revision:** The Bradys Run Sanitary Authority has prepared an Act 537 Sewage Facilities Plan Special Study that proposes modifications to its sewage collection system, including providing sewage service for Bradys Run Park facilities located in Brighton Township. In order for the project to proceed, the Township needs to approve and submit to the PA DEP the Act 537 Plan Revision and confirm its compliance with Township Code. Resolution No. 2023-11 also establishes the limits of the sewage service area of the Bradys Run Sanitary Authority within Brighton Township.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2023-11 adopting and submitting to the PA Department of Environmental Protection an Act 537 Sewage Facilities Plan Revision and establishing a sewage service area in Brighton Township for the Bradys Run Sanitary Authority to areas within Bradys Run Park.

**Act 14 Notification for Bradys Run Park Sanitary Sewer Project:** Notice pursuant to Act 14 has been received from KLH Engineers, Inc. on behalf of Beaver County Department of Public Works of the proposed extension of public sewage into Bradys Run Park. The Board had not additional comments on this project.

**Act 14 Notification for Bradys Run Water Main Replacement:** Notice pursuant to Act 14 has been received from Entech Engineering on behalf of the Beaver Falls Municipal Authority (BFMA) of a planned project to extend a waterline through Bradys Run Park. Design drawings have been provided. The Township Engineer, by letter of March 13, 2023 provided comments on behalf of the Township to the Beaver Falls Municipal Authority and Entech Engineering. The letter states that hydrant construction details should be reviewed and approved by the Brighton Township VFD and conform to the Brighton Township Municipal Authority (BTMA) requirements, including, but not limited to NST threads with 2.5" nozzles. Upon completion of the construction

project a water system flow test should be conducted to provide flow rate and pressure at the hydrant located near Shelter #15. The results are to be provided to the Brighton Township VFD for their records. Future waterline extensions into Brighton Township outside of Bradys Run Park or other properties presently served by BFMA are prohibited without BTMA concurrence.

**Resolution No. 2023-12 Authorize Filing Redevelopment Assistance Capital Program Grant Application:** At the February meeting, the Board agreed to act as the municipal applicant for a PA Redevelopment Capital Program (RACP) grant application for funding towards the renovation and construction of a new Nuclear Radiology Hot Lab at Heritage Valley Hospital Health System, Beaver. Resolution No. 2023-12 confirms this action and designates the Township officials authorized to execute applications, documents and agreements for this purpose

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2023-12 authorizing the Township to file the RACP grant application to seek funding for the renovation and construction of a new Nuclear Radiology Hot Lab at the hospital, and designating the Chairman, Vice-Chairman and Township Manager as authorized signers on documents to implement the grant project.

**YMCA Summer Playground Program Contract Approval:** A contract proposal in the amount of \$3,200 has been received from the YMCA of Beaver County to operate an eight-week summer playground program from June 12 to August 4, Mondays to Fridays between the times of 10:00 AM to 2:00 PM. Lunch is also provided. The program takes place at Hardy Field.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the proposal of the YMCA in the amount of \$3,200 to operate a summer playground program at Hardy Field and authorizing the Township Manager to sign the contract.

**Ordinance No. 238 - Zoning Code Amendments for Definitions & C-2 Mixed Use:** The Board conducted a public hearing at 6:15 P.M. on the ordinance to amend Definition of Terms and the C-2 Mixed Use District. The Ordinance has been advertised for consideration of adoption.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adopt Ordinance No. 238 amending the Zoning Code, section 195-10 Definition of Terms and Article II C-2 Mixed Use Zoning District.

**Ordinance No. 239 – Amending the Official Zoning Map:** The Board conducted a public hearing at 6:30 P.M. on the ordinance to amend the Official Zoning Map. The change will rezone Tax Parcel No. 55-152-0137.000 (Haffey property) and a portion of Tax Parcel No. 55-152-0135.P00 (Sheerin property) from C2 Mixed Use District to R1 Rural Residential District. The Ordinance has been advertised for consideration of adoption.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adopt Ordinance No. 239 adopting a revised Official Zoning Map.

**Two Mile Run PRP Stormwater Project:** The Township is in the process of obtaining land to construct a stormwater facility to meet the full obligations of the Township's Pollution

Reduction Plan (PRP) for the Two Mile Run watershed as part of the MS4 permit. A plan of subdivision has been filed for this purpose. The Township Engineer is designing the project and preparing the necessary permit packages. The Solicitor advised that appraisals have been received. The appraisals will be shared with the property owners and, if accepted, agreements of sale will be prepared and title searches completed. The Township Engineer stated that design of the stormwater facility is proceeding.

**Township MS4 Program:** The Township Engineer provided an update on the Municipal Separate Storm Systems Program. Annual work is proceeding. Inspections of stormwater facilities will be scheduled for April.

**Pupio Plan No. 2:** This is a two (2) lot subdivision at the intersection of Brady Run Road and Grange Road. Lot 1 has an existing dwelling and Lot 2 has a Non-Building Waiver attached to it. The Board reviewed the plan of subdivision as prepared by Graff Surveying LLC. The plan has addressed all prior review comments of the Engineer and Solicitor. The Beaver County Planning Commission provided review comments by letter of February 16, 2023. The Planning Commission, at their meeting of March 6, 2023, recommended approval of Pupio Plan No. 2 as prepared by Graff Surveying LLC dated August 2, 2022 and last revised February 22, 2023.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Pupio Plan No. 2 as prepared by Graff Surveying LLC dated August 2, 2022 and last revised February 22, 2023, for signature and recording.

**Pupio PADEP Planning Waiver & Non-Building Declaration:** The Pupio Plan No. 2 includes a Planning Waiver & Non-Building Waiver on Lot 2, which is 14.83 acres in size. The Owner, purchaser of Lot 2, and Sewage Enforcement Officer have signed the form for this purpose. The Planning Commission has also approved the planning waiver.

Mr. Equels made a motion to approve the Request for Planning Waiver & Non-Building Declaration for Lot 2 of the Pupio Plan No. 2 and authorize the Chairman to sign the form.

**Peters-Pentz Plan of Subdivision:** This plan subdivides two (2) lots into four (4) lots. The two (2) lots are owned by Benjamin S. Pentz (730 Tuscarawas Road) and Marvin G. & Jennifer Peters (750 Tuscarawas Road). The Board reviewed the site plan dated January 30, 2023 as prepared by Lennon, Smith, Souleret Engineering, Inc. and a copy of the Beaver County Planning Commission review letter dated February 22, 2023. The subdivision plan and application have been filed by the Township. The Township intends to purchase Lot 2 and Lot 3 for the purpose of constructing a stormwater facility as part of the implementation of the Township's Pollution Reduction Plan that is part of the MS4 program. Mr. Pentz will retain Lot 4, (a vacant lot) and Mr. & Ms. Peters will retain Lot 1. At their meeting of March 6, 2023, the Planning Commission recommended approval of the Peters-Pentz Plan of Subdivision as prepared by Lennon Smith Souleret Engineering, Inc. dated February 1, 2023 and last revised February 7, 2023.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Peters-Pentz Plan of Subdivision as prepared by Lennon Smith Souleret Engineering, Inc. dated February 1, 2023 and last revised February 7, 2023 for signature and recording.

**R.E.D. Mantini, LLC PSP Barracks Site Development - Bond Release Request No. 3:**

R.E.D. Mantini, LLC has also made a request for release from the site development bond. The Township Engineer reviewed the submission and has found that additional items are needed prior to project close out. The Engineer presented for approval Bond Release No. 3 recommending a release of \$94,417.67. The remaining balance after release is \$10,000 which is being retained to complete the Notice of Termination of the NPDES Permit.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Bond Release Request No. 3 in the amount of \$94,417.67. The balance to completion is \$10,000.

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

**Public Comment:** Mr. J. Gary Gardner of 5260 Tuscarawas Road asked that the Board have enforced the property maintenance code for the property at 5230 Tuscarawas Road owned by the Crumrines. Specifically, he stated that the existing barn is in a state of dilapidation, and there is an outbuilding also in a state of dilapidation. He also questioned if the work at the home is being completed in compliance with the building codes.

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

**Adjournment:** Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adjourn the meeting at 7:34 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Secretary