

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

May 8, 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. 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: There was no public comment.

Minutes of April 10, 2023 Regular Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the April 10, 2023 Regular Meeting.

Mr. Crawford gave a report on Fire Department activities for the month of April. Thereafter, Mr. Curtaccio dispensed with the reading of the remaining monthly **April Reports**. Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the following April 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 – Given by Kevin Crawford
- F. Report of Tax Collectors
- G. Report of Fines
- H. Recycling Report

Personnel Actions: Seasonal Employment: Each year the Board approves the hiring of seasonal employees. Mr. Dehart recommended the hiring of Matthew Merritt, 116 Dana Drive, Monaca and Jack Bible, 228 University Drive, Aliquippa as seasonal employee at a rate of \$12.00 per hour.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the hiring of Matthew Merritt and Jack Bible as seasonal employees at the rate of \$12.00 per hour.

Award Bids for Beaver County Regional COG 2023 Summer & Winter Commodities:

At the March meeting the Board authorized participation in the 2023 Beaver County Regional COG Summer & Winter Commodities Bid. The bid results have been provided. The following bid awards were recommended by the Road Foreman and Manager:

Contract #1 Road Aggregates Delivered

A.R. Oliastro, Inc. (724) 758-5215

River Gravel Size No. 57	\$26.50 Ton	200 Tons	\$ 5,300.00
No. 2A Stone (Limestone)	\$22.99 Ton	1,200 Tons	<u>\$27,588.00</u>
Total Contract Award:			\$32,888.00

Heidelberg Materials Northeast, LLC (724) 368-8040

No. 8 Stone (Limestone)	\$30.38 Ton	600 Tons	\$18,228.00
No. 1 Stone (Limestone)	\$28.38 Ton	100 Tons	\$ 2,838.00
No. R4 (Limestone)	\$36.88 Ton	200 Tons	\$ 7,376.00
No. R6 (Limestone)	\$42.63 Ton	200 Tons	<u>\$ 8,526.00</u>
Total Contract Award:			\$36,368.00

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to award the bids for Contract #1 Road Aggregates as read in the total amount of \$69,256.

Contract #2 Liquid Asphalts Applied

Midland Asphalt Materials, Inc. (570) 317-9028

E-1 Prime	\$2.48 Gallon	2,000 Gallons	\$ 4,960.00
CRS-2 (E-3)	\$2.45 Gallon	30,000 Gallons	<u>\$73,500.00</u>
Total Contract Award:			\$78,460.00

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to award the bid for Contract #2 Road Liquid Asphalts Applied to Midland Asphalt Materials, Inc. as read in the total amount of \$78,460.

Contract #7 Gasoline & Fuel

Reed Oil Company (724) 658-6692

<u>Ultra Low On-Road Diesel Fuel</u>	+0.03 (Posted Price \$2.886)	14,000 Gallons
\$2.916/Gallon*	Award: \$40,824.00	

*The cost of ultra-low on-road diesel fuel will be \$0.030 above the posted price on the date of order. Add \$0.03/gallon for winter additive.

<u>Unleaded Gasoline (87 Octane)</u>	+0.030 (Posted Price \$2.6203)	18,750 Gallons
\$2.6503/Gallon	Award: \$49,693.13	

The cost of unleaded gasoline (87 octane) will be \$0.030 above the posted price on the date of order.

Total Contract Award: \$90,517.13

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to award the bid for Contract #7 Gasoline & Fuel to Reed Oil Company as read in the total amount of \$90,517.13.

Contract #8 Winter Road Materials

American Rock Salt (888) 762-7258

Rock Salt	\$91.50 Ton	600 Tons	<u>\$54,900.00</u>
	Total Contract Award:		\$54,900.00

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to award the bid for Contract #8 Winter Road Materials to American Rock Salt as read in the total amount of \$54,900.

Execute Contract No. 23-01 2023 Roadway Improvement Program: At the April meeting the Board awarded the paving contract to Shields Asphalt Paving, Inc. in the amount of \$427,792.50. The Township Engineer presented the contact documents for approval and execution. She also stated that a pre-construction meeting with the contractor will be scheduled in advance of the next meeting and a project schedule determined.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorized execution of Contract No. 23-01 2023 Roadway Improvement Program.

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. A payment request was not submitted for this meeting. The Township Engineer reported on the project status, and noted that their office is preparing a response to the inspection report from the Beaver County Conservation District.

Consider Bid Awards for Social Hall Renovation Project: Bids for the Social Hall renovation project were opened on May 4, 2023. The Township Engineer presented a bid tabulation as follows:

Contract No. 23-1 Site Work

<u>Contractor</u>	<u>Base Bid</u>
LM&R Excavating, LLC	\$642,644.60
Stefanik’s Next Generation Contracting Co.	\$709,747.00

Contract No. 23-2 General Construction

<u>Contractor</u>	<u>Base Bid</u>	<u>Deduct Alt 1</u>	<u>Deduct Alt 2</u>	<u>Deduct Alt 3</u>
FMS Construction Co.	\$860,185	(\$14,000)	(\$128,000)	(\$ 86,000)
United Contractors, Inc.	\$876,000	(\$24,000)	(\$118,000)	(\$139,000)

Deduct Alt. No. 1: Deduct Accordion Wall to First Floor

Deduct Alt. No. 2: Deduct Deck Construction

Deduct Alt. No. 3: Deduct Basement Finishings

Contract No. 23-3 Plumbing

<u>Contractor</u>	<u>Base Bid</u>	<u>Deduct Alt 1</u>
Preferred Plumbing & Heating Solutions LLC	\$126,000	(\$12,000)
First American Industries, Inc.	\$132,350	(\$ 9,850)
Reno Bros., Inc.	\$146,044	(\$ 9,257)
McRandal Company, Inc.	\$167,700	(\$ 7,500)
Newman Plumbing, Inc.	\$186,800	(\$ 8,000)

Deduct Alt. No. 1: Deduct Basement Finishings

Contract No. 23-4 Electrical

<u>Contractor</u>	<u>Base Bid</u>	<u>Deduct Alt 1</u>
McCurley Houston Electric, Inc.	\$284,000	(\$29,000)

Deduct Alt. No. 1: Deduct Basement Finishings

Contract No. 23-5 HVAC

<u>Contractor</u>	<u>Base Bid</u>	<u>Deduct Alt 1</u>
Air systems Mechanical Contracting, Inc.	\$224,580	(\$ 2,045)
K and K Mechanical Services, Inc.	\$244,750	(\$22,400)

Deduct Alt. No. 1: Deduct Basement Finishings

Ms. Hartman stated that the total of the low bids without any deductions is \$2,137,409.60. If all deduct alternates are selected the total is \$1,828,994.60. Bids can be held for ninety (90) days. After discussion, the Board took no action, pending review in more detail of the bids by the architect and engineer. The bids will be on the June agenda for further consideration.

Award Hardy Field Parking Lot Seal Coat Proposal: Proposals for the seal coating of the Hardy Field upper and lower parking lots have been solicited, including the striping of the crosswalk on Tuscarawas Road. The results as follows:

Russell Standard	No Proposal Submitted
Hilltop Paving	\$22,499
Highland Paving	No Proposal Submitted
Midland Asphalt Materials	No Proposal Submitted

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the proposal of Hilltop Paving for the sealing and striping of the parking lots at Hardy Field and the striping of the Tuscarawas Road crosswalk in the amount of \$22, 499.

Approve Proposal Security System Maintenance Agreement: A proposal for a three (3) year maintenance agreement with Security Systems of America (SSA) has been received. The cost is \$563.75 per month and covers the 17 locations with security cameras that are currently in

operation, including sites at the Municipal Authority, Sewage Authority and VFD. Mr. Dehart provided a cost breakdown per location. The maintenance agreement includes equipment replacement as needed.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept the proposal from Security Systems of America (SSA) for a 3-year security system maintenance agreement at a cost of \$563.75 per month.

Approve SRO Agreement with Beaver Area School District: A three (3) year Agreement with Beaver Area School District (BASD) to provide a School Resource Officer (police officer) at the Dutch Ridge Elementary School has been prepared. The annual fee the 2022/23 school year was established at \$85,000. This three (3) year extension Agreement provides for annual increases of 4% per year, beginning with the 2023/2024 school year at a fee of \$88,400. The BASD has approved this Agreement.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and execute the three (3) year Agreement with Beaver Area School District to provide a School Resource Officer (police officer) at the Dutch Ridge Elementary School beginning with the 2023/2024 school year.

Approve SRO Agreement with Beaver Valley Intermediate Unit: The Beaver Valley Intermediate Unit (BVIU) has requested the Township to provide a School Resource Officer (police officer) at the New Horizon School. A proposal for a three (3) year Agreement has been prepared and sent to the BVIU. The Agreement is modeled after the Agreement with the Beaver Area School District. The annual fee for the 2023/24 school year is proposed as \$112,701 with a 4% increase per year for the 2nd and 3rd years of the Agreement. The proposed Agreement has been provided to BVIU for their review and comment, and is now under review by their Solicitor.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the three (3) year Agreement with BVIU to provide a School Resource Officer (police officer) at New Horizon School beginning with the 2023/2024 school year, with any language changes subject to approval by the Township Solicitor.

Refuse & Recycling Contract Fee Adjustment: Year 4 of the refuse contract with J. Young Refuse begins July 1, 2023 and the new base rate will be \$12.07 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. The calculation results in a fuel cost increase of \$0.71 per month, based on the contract start date, lower than the \$2.00 per month increase approved for the prior 6-months. As a result of the calculations, the new rate calculation is as follows:

Base Rate July 1, 2023 to June 30, 2024	\$12.07
Fuel Cost Adjustment calculated effective July 1, 2023	<u>\$ 0.71</u>
Monthly Refuse Rate effective July 1, 2023	\$12.78
Quarterly Refuse Rate effective July 1, 2023	\$38.34

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the revised refuse and recycling fee of \$12.78 per month effective July 1, 2023.

Two Mile Run PRP Stormwater Project: The Township is in the process of obtaining a location 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. The Township Engineer is designing the project and preparing the necessary permit packages. The Engineer stated that design is progressing as planned. The Solicitor provided an update on the status of the land location, noting that a drainage easement is now be pursued in lieu of land purchase. The property owner is reviewing the proposal with his attorney.

Township MS4 Program: The Township Engineer provided an update on the Municipal Separate Storm Systems Program. Annual work is proceeding. Inspections of stormwater BMP facilities has been completed and reports issued.

Zoning Code Amendments: The Brighton Township Planning Commission has recommended revisions to the Zoning Code. These revisions update outdated language in some sections, revise the definition for Private Greenhouse and clarify the setback requirements in the C-2 Mixed Use District to be from Dwelling Units (a defined term) rather than residential uses (an undefined term). The Manager and Solicitor reviewed the changes.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to submit the proposed ordinance to amend the Zoning Code to the Beaver County Planning Commission for their review and comment.

Lot Consolidation Plan for Borselli: This plan consolidates two (2) lots on Darlington Road. The property is Lot Nos. 5 and 6 in the Brighton Meadows Plan. The Board reviewed the site plan prepared by Shoup Engineering, Inc. dated March 23, 2023, the review comments of the Township Engineer dated May 4, 2023, and the Beaver County Planning Commission dated April 4, 2023. The Engineer's review letter notes that the plan complies with Township Codes.

At their meeting of May 1, 2023, the Planning Commission recommended approval of the Lot Consolidation Plan for Borselli as prepared by Shoup Engineering, Inc. subject to compliance with the Township Engineer's review letter of April 27, 2023. It was noted that outstanding items have now been complied with.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Lot Consolidation Plan for Borselli as prepared by Shoup Engineering, Inc. dated March 23, 2023 and last revised May 1, 2023.

Subdivision Plan for Finn: Application has been filed for a three (3) lot subdivision at the intersection of Eighth Avenue and Anderson Avenue. The Residual Lot has the existing home of Ian and Andrea Finn and fronts Eighth Avenue. Lot 1 and Lot 2 front Anderson Avenue, a private street. The Board received for review a copy of the Subdivision Plan for Finn, the Township Engineer's review letter of March 30, 2023, the letter of Attorney Budicak dated April 3, 2023, and the Beaver County Planning Commission Review letter of April 19, 2023.

At their meeting of April 3, 2023, Planning Commission recommended approval of the Subdivision Plan for Finn as prepared by JHA Companies dated December 12, 2022 and last revised March 14, 2023, subject to the Township Solicitor's review and acceptance of the opinion offered by Attorney Budicak presented by letter of April 3, 2023; PA DEP Sewage Planning Module approval; and receipt of the Beaver County Planning Commission review comments.

The Subdivision and Land Development Code, Section 180-9, requires frontage on a public street, as stated in comment 1 of the Township Engineer's March 30, 2023 review letter. The applicant, through JHA Companies, has submitted a written request for waiver of this request on the basis of the legal opinion provided by Attorney Budicak stating that the Finns have absolute and perpetual rights of use and access to Anderson Avenue and Reed Drive. The Township Solicitor said that she has reviewed the opinion letter of Attorney Budicak, and has also discussed it with him. She agrees with his opinion that the Finns have private rights of access to Anderson and Reed Drives by virtue of prior recorded plans and an Agreement between various record owners in 1954. Those rights continue.

Mr. Crawford of 710 Anderson Avenue expressed his concerns over the maintenance of Anderson Avenue. The paving and maintenance of that street was and has been paid for by the existing homes on Anderson Avenue. Construction of a new home could significantly damage the paving. The Solicitor suggested that a maintenance agreement be established that would include the new lots laid out in the Subdivision Plan for Finn.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the request for modification of the requirement for lots to have frontage on a public street, by permitting Lot 1 and Lot 2 to front on Anderson Avenue.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Subdivision Plan for Finn as prepared by JHA Companies dated December 12, 2022, last revised March 14, 2023, subject to PA DEP Sewage Planning Module approval.

Additional Business: Mr. Dehart distributed a copy of a letter from Mr. & Mrs. Rea, owners of 199 Western Avenue. They have two (2) items they asked to be address. One is related to identifying the sewage easement on their property. That will be addressed by the Brighton Township Sewage Authority. The second item concerns the discharge of stormwater to their property from an existing stormwater inlet. They have asked that the stormwater discharge be piped through their property in a designated location, and with a drainage easement to be granted. They state that currently there is no drainage easement. The Solicitor said that Statute provides the power to the Township to open and maintain drainage ditches that carry water from the roadway. The Board asked the Solicitor to investigate the mater and to respond to Mr. & Mrs. Rea.

Public Comment: Mr. Mark Kasula, II of United Contractors, Inc. was in attendance and inquired if any action was taken on the bids for the Social Hall Project. He had arrived after that agenda item had already been reviewed. He was advised that action on the bids was tabled until the June meeting to permit time to evaluate them in more detail and determine funding. He suggested that the Site Work contract could be evaluated for cost savings. He discussed the other

options as well. He noted that he would be low bidder on the General Construction contract if the deduct alternates are selected. He said the person he foresees as the job foreman resides in Brighton Township. The Board thanked him for attending and his comments.

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

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adjourn the meeting at 8:20 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary