

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

September 11, 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. No 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 August 14, 2023 Regular Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the August 14, 2023 Regular Meeting.

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

Personnel Actions: **Police Department – Removal from Probation:** Officer Jarret Cunnard has completed his probationary period as a full-time police officer. Chief Blinn has recommended that the Board of Supervisors remove him from probationary status.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to remove Officer Cunnard from probationary status.

Authorized Sale of Police Vehicles: The Board previously approved the purchase of two (2) new police vehicles that will replace the 2017 and 2018 Ford Explorer Police Package vehicles. The replaced vehicles will need to be placed for bid to be sold. The date of bid release will be

determined when the arrival of the new vehicles is determined. Mr. Dehart said that the complete outfitting of the new vehicles is not expected to be completed for up to two (2) months, depending upon delivery of the equipment needed.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize the release of bid for the sale of the 2017 and 2018 Ford Explorer police vehicles. Final bid release date will be determined upon the delivery date of the new vehicles that were previously ordered.

Approve Quotation for T-Ball Field Renovation: A quotation from Dura-Edge has been received for the renovation of the T-Ball Field in Dawson Ridge Park. The scope of work includes reshaping the field, 50-tons of infield mix, new bases and pitching rubber, field cutting and grading. The amount of the project is \$10,491.50. The other two (2) ballfields at the park have been upgraded over the past few years.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept Quote 7261 from Dura-Edge in the amount of \$10,491.50 for the renovation of the T-Ball Field in Dawson Ridge Park.

Contract No. 22-ST01 2022 Stormwater Improvements (Beaver Woods Detention Pond): The Board has awarded and executed a contract for the Beaver Woods Detention Pond Retrofit Project with Pride Masonry, Inc. in the amount of \$246,100 (Base Bid -\$197,350 and Add Alternate No. 2 - \$48,750). The Township Engineer provided an update on the project status. final grading and site stabilization remain to be completed, as well as the site fencing. A pay request was submitted too late for consideration at the meeting.

Two Mile Run PRP Stormwater Project Updates and/or Actions: The Township is in the process of designing 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 Board has passed a Resolution to initiate condemnation proceedings for the project site. Acquisition of a second property is also pending. The Engineer reported that their office is updating the subdivision plan and the legal descriptions for the lots. Permitting is proceeding. The Solicitor updated the Board on the documents being prepared for the condemnation to proceed and the required filings. Once all documents are prepared, she will have them signed by the Chairman.

Township MS4 Program: The Township Engineer provided an update on the Municipal Separate Storm Systems Program. The report on the outfall testing has been completed. The final report to PA DEP, due in September, is being repaired.

Brighton Township Pension MMO Calculations: Each year the Board is to be advised by September 30th of the Minimum Municipal Obligation (MMO) to the pension plans for the following year. The 2024 Police Pension Plan MMO is \$194,981 based on the calculation from the plan actuary and utilizing the 2023 Actuarial Valuation draft. The 2023 Non-Uniform Pension Plan MMO is \$57,281 based on the PMRS worksheet.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the 2024 Minimum Municipal Obligation (MMO) calculation for the Police Pension Plan of \$194,981 and \$57,281 for the Non-Uniformed Pension Plan and direct that these amounts be included within the 2024 Budget.

Police Services Agreement: A five (5) year Police Services Agreement between Brighton Township and Valley Medical Facilities, Inc. has been prepared for the placement of a Brighton Township police officer within the hospital 16 hours per day year round. This is a renewal of an expiring five (5) year Agreement. This Agreement removes the daylight shift (7:00 am to 3:00 pm) from coverage. The full cost of this service will be paid by the hospital to Brighton Township on a monthly basis. The cost of the service will be calculated for each calendar year. The Agreement has been executed by the hospital. A six (6) month opt out clause is included.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Police Services Agreement with Valley Medical Facilities, Inc. effective October 1, 2023 for a term of five (5) years.

Ordinance Proposal - Zoning Code Amendments: At their meeting of September 5, 2023 the Brighton Township Planning Commission recommended an ordinance to amend the Zoning Code to include a Day-Care Center as a Permitted Principal Use in the C-1 Neighborhood Commercial District and the C-2 Mixed Use District.

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

Sheerin Farm Plan of Lots: The Sheerin Farm Plan of Lots is a four (4) lot subdivision of the Sheerin property located at 4270 Dutch Ridge Road. The property is split by a zoning district boundary. Lot Nos. 1 and 2 are new residential lots within the R-1 Rural Residential District. Lot No. 3 has an existing home (4270). Lot No. 4 is an undeveloped lot. Lot Nos. 3 and 4 are located within the C-2 Mixed Use District. A pressurized public sewer system is proposed as part of the plan. The Board reviewed the subdivision plan prepared by Gateway Engineer dated July 20, 2023, the Township Engineer's July 25, 2023 plan review comments, the Sewage Authority engineering review dated August 30, 2023, and the Beaver County Planning Commission review letter dated July 19, 2023. At the August meeting, the Board approved the PA DEP Sewage Planning Module and submitted it to the PA DEP for their review and action. Mr. Dehart advised the Board that the Brighton Township Planning Commission, at the September 5, 2023 meeting, recommended approval of the Sheerin Farm Plan of Lots subject to PA DEP Sewage Planning Module Approval, approval of the Brighton Township Sewage Authority (BTSA), and the applicant entering into an approved Developer's Agreement with the BTSA.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Sheerin Farm Plan of Lots subject to PA DEP Sewage Planning Module Approval, approval of the Brighton Township Sewage Authority (BTSA), and the applicant entering into an approved Developer's Agreement with the BTSA.

Deerfield Preserve – Corrective Action Notice: The Township Engineer has sent the developer of Deerfield Preserve correspondence dated September 7, 2023 with copies of prior

letters dated August 11, 2023 and June 27, 2023 concerning a sinkhole that is developing along Fox Water Trail. The developer has failed to take corrective action in response to these letters. Mr. Dehart said it appears it is becoming necessary to perform the tasks required to evaluate the sinkhole area so a corrective course of action can be established. The sinkhole area was filled once previously and presently, there is a hole adjacent to the curb and the road travel lane has a visible depression. The Engineer agreed that the current condition constitutes an emergency and that the circumstances warrant an evaluation by a geotechnical engineer. Mr. Dehart recommended that any expenditures incurred to evaluate the sinkhole should be covered by the developer by acting against the developer's financial security.

In response to the Engineer's most recent correspondence, the developer stated that the improvements are private and that the Township is not to enter the property and take any action. The Solicitor will evaluate the situation and respond accordingly. The Engineer said that the crossing that appears to be the cause of the sinkhole was installed without notice and without observation. It is not installed according to plan as required by the Developer's Agreement.

After review and further discussion, and recognizing the current situation as an emergency due to the potential failure of the roadway, Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Solicitor to send to the developer a notice that a geotechnical engineer must be engaged to evaluate the sinkhole and recommend a course of correction action. This evaluation must be completed by September 26, 2024 or the evaluation will be completed by action of Brighton Township with costs to be assessed against the developer's financial security.

Additional Business: There was no additional business.

Public Comment: There was no public comment.

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

Adjournment: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to adjourn the meeting at 7:31 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary