

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

November 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 October 9, 2023 Regular Meeting: Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the minutes of the October 9, 2023 Regular Meeting.

Mr. Curtaccio dispensed with the reading of the monthly **October Reports**. Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the following October 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 Contract Approval:** An agreement has been reached with Beaver Valley Lodge 4 Fraternal Order of Police (FOP), representing the Brighton Township Police Bargaining Unit, for the years 2024 through 2028. The written Agreement has been approved by the FOP and the Brighton Township Police Bargaining Unit. Prior to the Board taking the Agreement under consideration, Mr. Curtaccio read a Conflict of Interest statement and presented a signed copy for the record. Joshua Curtaccio is a full-time police officer with the Brighton Township Police Department and is John Curtaccio's son, creating a conflict of interest. Therefore, Mr. Curtaccio stated he would not be voting on the Contract approval.

Mr. Equels made a motion, seconded by Mr. Piccirilli, to approve the Agreement between Brighton Township and the Beaver Valley Lodge 4 Fraternal Order of Police (FOP), representing the Brighton Township Police Bargaining Unit, for the years 2024 through 2028. The vote to approve the motion was two (2) “YES” votes, and one (1) “ABSTAIN” by Mr. Curtaccio.

Police Chief Contract Approval: An Agreement with the Chief of Police for the years 2024 through 2028 has been prepared based upon the same terms as the Police Bargaining Unit contract. The Agreement has been approved and signed by the Chief of Police.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Agreement between Brighton Township and the Chief of Police for the years 2024 through 2028.

Public Works Department Contract Approval: An Extension Agreement between Brighton Township and the Teamsters Local Union 261 has been negotiated and agreed upon by the Union and its members. The Extension Agreement is for the period September 1, 2023 to August 31, 2028, adding two (2) years to the current Agreement.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the Extension Agreement between Brighton Township and the Teamsters Local Union 262 representing the Brighton Township Public Works, for the period September 1, 2023 to August 31, 2028.

Authorize New Account: The Township uses various PLGIT accounts for Township funds. Effective 2024 the Township will establish an HRA arrangement for health care. The Manager requested that a new PLGIT account be established for this purpose.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the creation of a PLGIT account title Township HRA with the Board of Supervisors and Township Manager as authorized users.

Authorize Release of Toth Fire Escrow & Closing of Account: The Toth Fire Escrow was previously established pursuant to the Township’s Fire Loss Ordinance as a result of a house fire at 1440 Tuscarawas Road. The property was transferred to a new owner who has completed home renovations and the property is listed for sale. Therefore, a full release of the escrow in the amount of \$17,187.42, plus any accrued interest, is warranted pursuant to the Township’s Policy for Escrow Release established by Resolution No. 2013-17. The Toth Fire Escrow Savings Account can also be closed.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to authorize a full release of the balance of the Toth Fire Escrow and the closing of the Toth Fire Escrow Savings Account.

Approve Quotation for Purchase of Mower: A price estimate from Burks Lawn and Saw Inc. in the amount of \$16,999 has been received for the purchase of a 2023 Ferris 72” mower. The purchase is through CoStars Contract 008-E22-1014 Maintenance, Repair & Operation Equipment a & Supplies. This will replace a John Deere that is taken out of service.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept Estimate 77637 in the amount of \$16,999 from Burks Lawn and Saw Inc. for the purchase of a 2023 Ferris 72" Vanguard mower.

Approve Quotation for Two Mile Run Park Surveillance System: A price estimate from Security Systems of America (SSA) in the amount of \$5,384 has been received for the purchase and installation of a new surveillance system at Two Mile Run Park. The purchase includes a network video recorder, hard drive, 8 cameras and cabling. The existing system is out of service.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to accept estimate from Security Systems of America (SSA) in the amount of \$5,384 for the purchase and installation of a new surveillance system at Two Mile Run Park.

Resolution No. 2023-24 Authorizing Sale of Equipment: This Resolution authorized the sale of used Township property that is no longer in use. Eugen Jones, 12600 Ohio River Blvd, Chester, WV has offered \$200 to the Township for 8 used sections of guiderail.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2023-24 authorizing the sale of 8 used sections of guiderail in as-is condition to Eugene Jones in the amount of \$200.

Resolution No. 2023-25 Authorizing Sale of Equipment: This Resolution authorized the sale of used Township property that is no longer in use. Philip Chaffee, 516 Smith's Ferry Road, Midland, PA has offered \$200 to the Township for a used 2017 John Deere 72" mower that needs a transmission replaced.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2023-25 authorizing the sale of the used John Deere mower in as-is condition to Philip Chaffee in the amount of \$200.

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. The Engineer reviewed and presented for Board approval Change Order No. 1 (FINAL) and Partial Payment No. 4 (FINAL).

Change Order No. 1 (FINAL) – The change order increased the final contract amount by \$32,076, making the final contract amount \$278,176. The Engineer stated that the increased contract amount was for 6" PVC perforated underdrain installed to address natural springs that were encountered during construction.

Mr. Piccirilli made a motion, seconded by Mr. Equels vote unanimous to approve Change Order No. 1 (FINAL) to increase Contract No. 22-ST01 by \$32,076 making the final contract amount \$278,176.

Partial Payment No. 4 (FINAL) – The Township Engineer presented for approval Partial Payment No. 4 (FINAL) in the amount of \$115,567.60.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Partial Payment No. 4 (FINAL) in the amount of \$115,567.60 for payment to Pride Masonry, Inc. for Contract No. 22-ST01.

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 Engineer reported that the geotechnical engineer needs scheduled for core borings. She expects the Chapter 105 dam permit application to be filed soon.

The Board previously filed a condemnation action to acquire the Pentz property. The Solicitor has been in contact with the attorney representing Mr. Pentz. A final value is yet to be determined. Acquisition of a second property is also pending and the Solicitor is actively working towards a Sales Agreement for that parcel.

Township MS4 Program: The Township Engineer provided an update on the Municipal Separate Storm Systems Program. The required annual report has been submitted to the PA DEP. No current activities are taking place.

2024 Budget – Second Reading: The Board presented the second reading of the 2024 Budget. The 2024 Budget proposes the following amounts: General Fund \$5,878,020; Stormwater Fund \$637,500; Capital Reserve Fund \$4,368,000; State Aid Fund \$327,830 and Police Pension Fund \$3,430,43. The expenses reflect the additional 2023 police hires and additional staffing for the fire department. The 2024 Budget will be subject to the reassessment real estate values. Under the current reported 2024 reassessment values 1.90 mills is the established revenue neutral real estate tax levy. The 2024 Budget proposes an increase of the 2024 real estate tax levy to 2.05 mills. A final determination on the real estate tax levy will be subject to the certified tax assessment roll values to be received later in November. The Stormwater Fee is budgeted to remain at \$5.50 per month per ERU. The budget will be presented for adoption at the December 11th meeting.

Refuse & Recycling Fee Adjustment: Year four (4) of the refuse contract began July 1, 2023 with a base rate of \$12.07 per month. The contract 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 an increase of \$0.95 per month. As a result of the calculations, the new rate will be as follows:

Base Rate July 1, 2023 to June 30, 2024	\$12.07
Fuel Cost Adjustment calculated effective January 1, 2024	<u>\$ 0.95</u>
Monthly Refuse Rate effective January 1, 2024	\$13.02
Quarterly Refuse Rate effective January 1, 2024	\$39.06

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve the revised refuse and recycling fee of \$13.02 per month effective January 1, 2024.

Resolution No. 2023-26 DCED LSA Grant Social Hall Renovations: As authorized at the October meeting, an application through the 2023 DCED Local Share Account Statewide Grant program has been prepared requesting grant funds of \$750,000 for the renovation of the Social Hall building and site. The total project cost estimate is \$2,404,586. A prior grant of \$250,000 was secured for the project, and the Township's financial match requirement for this grant application is \$1,404,586.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2023-26 authoring the filing of the 2023 DCED Local Share Account Statewide Grant requesting grant funds of \$750,000 for the Social Hall Renovation Project and authorizing the Chairman to sign a financial commitment letter of \$1,404,586.

Resolution No. 2023-27 DCED LSA Grant Two Mile Run PRP Improvements: As authorized at the October meeting, an application through the 2023 DCED Local Share Account Statewide Grant program has been prepared requesting grant funds of \$702,410 for the Two Mile Run PRP Improvements Project, the full amount of the project cost estimate. The project is the construction of a stormwater detention basin designed to remove 26,000 pounds of sediment per year from the Two Mile Run watershed.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2023-27 authoring the filing of the 2023 DCED Local Share Account Statewide Grant requesting grant funds of \$702,410 for the Two Mile Run PRP Improvements Project.

Resolution No. 2023-28 DCED LSA Grant Mini-Grader Procurement: As authorized at the October meeting, an application through the 2023 DCED Local Share Account Statewide Grant program has been prepared requesting grant funds of \$295,636 for the purchase of a mini-grader, the full amount of the purchase price.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Resolution No. 2023-28 authoring the filing of the 2023 DCED Local Share Account Statewide Grant requesting grant funds of \$295,636 for the Mini-Grader Procurement Project.

Resolution No. 2023-29 Amending the Public Recreation Land and Facilities Plan: In 2005 the Township adopted a Public Recreation Land and Facilities Plan as the basis to implement a recreation fee in lieu of dedication provision within the Subdivision and Land Development Code. The Township engaged Strategic Solutions to prepare an update to the plan based upon current parks and recreation projects and plans. Their report is complete and Resolution No. 2023-29 implements their recommendations by amending the 2005 Public Recreation Land and Facilities Plan. Based upon the amendments, a fee up to \$1,427.27 per household unit can be established as a fee in lieu of dedication for residential developments. Prior to considering a fee increase from the present \$500 per household unit, amendments to the Subdivision and Land Development Code will need to be adopted.

Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to approve Resolution No. 2023-29 to amend the Brighton Township Public Recreation Land and Facilities Plan dated February 2005.

Ordinance Proposal - Zoning Code Amendments: At the November meeting the Board authorized sending to the Beaver County Planning Commission a proposed Zoning Code amendment to include Day-Care Center as a Permitted Principal Use in the C-1 Neighborhood Commercial District and the C-2 Mixed Use District and made a correction within the C-2 Mixed Use District. The comments from the Beaver County Planning Commission are expected to be received prior to the December Board meeting.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to schedule a public hearing on the proposed Zoning Code amendments at 6:30 P.M. on December 11, 2023.

Peters-Brighton Township Plan of Subdivision: This is a subdivision of the Peters property (Lot 1 & Lot 2) and the consolidation of Lot 2 with adjacent land owned by Brighton Township (Lot 3). The consolidated lot will be the location of a stormwater retention facility to be constructed to implement the Township's Pollution Reduction Plan (PRP), part of its PA DEP stormwater permit under the MS4 program. The Board previously reviewed this plan as the Peter-Pentz Plan of Subdivision, which was approved by the Board at the March 13, 2023 meeting. However, the Township was unable to finalize a land acquisition with Mr. Pentz. Subsequently, the Township filed a condemnation action to secure the property for the PRP project. At their meeting of November 6, 2023, the Planning Commission recommended approval of the Peters-Brighton Township Plan of Subdivision as prepared by Lennon, Smith, Souleret Engineering Inc.

After review, Mr. Piccirilli made a motion, seconded by Mr. Equels vote unanimous, to approve the Peters-Brighton Township Plan of Subdivision.

Aspen Fields Phases III, IV and V Bond Reduction Request No. 3: By letter of November 2, 2023 Maronda Homes requested a release of funds from the combined bond for Phases III, IV and V. The Township Engineer has reviewed the requested release and prepared a recommendation by letter of November 13, 2023. The requested release was 35,154.90. The Engineer recommended a release of \$33,557.70.

Mr. Equels made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Release No. 3 from the combined bond for Aspen Fields Phases III, IV and V in the amount of \$33,557.70. The remaining balance after release is \$75,554.82.

Deerfield Preserve – Corrective Action Notice: At the September meeting the Board authorized the Solicitor to give notice to the developer of Deerfield Preserve of the Township's intent to take action to evaluate a sinkhole on Fox Water Trail if no action was taken by September 26th. The Township Engineer previously 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 Fax Water Trail. The developer failed to take corrective action within the timeframe given by the Solicitor, and there still has been no action taken as the meeting. The Engineer reported that a contractor will televise and clean the two (2)

road crossings in the area of the sinkhole, as well as the segments of sanitary sewer and storm sewer on Fox Water Trail in the vicinity of the sinkhole. That work will be completed this week. Thereafter, the information collected will be shared with a geotechnical engineer as part of an evaluation to determine cause of the sinkhole and a recommended course of corrective action. The Solicitor will provide notice to the developer's attorney of the actions taken.

Additional Business: Mr. Piccirilli recommended that pizza be provided at the next Planning Commission meeting to express appreciation for their volunteer service as members of the Commission.

Mr. Piccirilli said that he has had conversations with representatives of Shell Corporation about fire training. He hopes to have further discussions about a fire training facility at the Brighton Township VFD site on Grange Road that was previously evaluated.

Public Comment: Ellen Kretchmar of 664 3rd Street, Beaver asked is the rest of Dutch Ridge Road was to be paved. Mr. Curtaccio said that it was a State Road. The road was paved from Beaver Borough to the area of Brighton Road. At this time, it is unknown if Penn DOT plans to pave the rest of the road all the way to Tuscarawas Road.

Ms. Kretchmar asked how the paving program is determined in the Township and how that decision is communicated to the residents. Mr. Curtaccio said the Township Engineer and Road Foreman evaluate the road system annually and make recommendations. The paving schedule is reported in the Township newsletter.

Ms. Kretchmar asked the amount of the police budget. The amount listed in the proposed 2024 Budget was reported insofar as expenses. It was noted that a certain amount is reimbursed for School Resource Officers and police at the hospital. The reimbursements are reported as revenues.

Ms. Kretchmar asked if options to Comcast are being evaluated for internet services. The Comcast Agreement is nonexclusive and does not exclude service by other providers. Some areas are served by Verizon Fios. Beaver County Connect is working to provide service to areas not currently served by Comcast in Beaver County, including areas of Brighton Township.

Ms. Kretchmar asked if the Township is evaluating solar energy as a power source for Township facilities. The Township is not.

Lea Kretchmar of 117 Glenfield Drive said she noticed that blue ribbons have been placed on their trees in the front yard at their home. She asked if the Township knew why. Mr. Curtaccio said that the Township does not know, but possibly Duquesne Light Company is in the process of identifying areas for tree maintenance. Mr. Dehart will try to discover the purpose of the blue ribbons.

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

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Equels, vote unanimous, to adjourn the meeting at 7:51 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary