

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

April 8, 2024

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
 Gary J. Gordon – 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 March 11, 2024 Regular Meeting: Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the minutes of the March, 2024 Regular Meeting.

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

Park & Recreation Board Appointment: There are three (3) vacancies on the Parks and Recreation Board. Danielle Reda has expressed interest in appointment to the Board, and attended their last meeting.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to appoint Danielle Reda, 3485 Dutch Ridge Road, Apt. B to the Parks and Recreation Board for a term ending December 31, 2028.

Beaver County Regional COG 2024 Summer & Winter Commodities Bids: At the March meeting the Board authorized the submission of estimated quantities for participation in the 2024 Beaver County Regional COG Summer & Winter Commodities Bid. Bid results are not yet available for consideration.

Award Bid for Contract No. 24-R01 2024 Roadway Improvement Program: At the February 12, 2024 meeting the Board authorized the release of bids for the 2024 roadway improvement program. Bids were opened on April 5, 2024. The Township Engineer presented a bid tabulation as follows:

Contract A (Liquid Fuels)

<u>Contractor</u>	<u>Base Bid</u>	<u>Add Alt. 1</u>	<u>Add Alt. 2</u>
Youngblood Paving, Inc.	\$367,010.00	\$45,471.00	\$44,882.00
A. Folino Construction, Inc.	\$405,016.95	\$48,982.44	\$48,416.24

Contract B (BTMA Parking Lot)

<u>Contractor</u>	<u>Base Bid</u>
Youngblood Paving, Inc.	\$34,083.75
B. Folino Construction, Inc.	\$41,613.58

Contract A (Liquid Fuels) is for the Township Roadway Improvement Program and includes the following roadways:

<u>Street Name</u>	
Coleman Drive	Tuscarawas Rd to end
Crest Drive	Coleman Dr to end
Maple Drive	Willow St. to Cypress St.
Birch Street	Willow St. to Maple Dr.
Cypress Street	Maple Dr. to Magnolia Dr.
Magnolia Dr.	Birch St. to End
Hickory Dr. 1	Magnolia Dr. to End
Hickory Dr. 2	Birch St. to end

Add Alternate No. 1

Beech Street	Maple Dr. to Chestnut St.
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Add Alternate No. 2

Sycamore Street	Maple Dr. to Chestnut St.
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Contract B is for the BTMA Parking Lot at their maintenance garage. The Municipal Authority Board will discuss the bid and action at their meeting on April 15, 2024. The Township Engineer said that bids were checked for accuracy. The Engineer recommended bid award to the apparent low bidder, Youngblood Paving, Inc.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to award Contract No. 24-R01 2024 Roadway Improvement Program to Youngblood Paving, Inc. for Contract A

(Liquid Fuels) in the amount of \$457,363 as follows: Base Bid in the amount of \$367,010; Add Alternate No. 1 in the amount of \$45,471; and Add Alternate No. 2 in the amount of \$44,882. And to further award Contract B (BTMA Parking Lot) to Youngblood Paving, Inc. in the amount of \$34,083.75 subject to confirmation of acceptance by the Board of Directors of the Brighton Township Municipal Authority.

RFP for General Turf Mowing and Trimming Services: At the March meeting the Board accepted proposals for mowing and trimming at several properties in response to an RFP that was released. The award for Richmond School was to Sinclair Lawn Service at \$60 per week for mowing and trimming. Sinclair Lawn Service failed to respond to various calls and emails about the award. Therefore, the award was made to Chaffee Lawn Service for 2024 at \$75 per week for cutting and trimming.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to withdraw the award for mowing and trimming services at the Richmond School to Sinclair Lawn Service for being non-responsive, and to ratify the award to Chaffee Lawn Service at \$75 per week.

Approve Proposal for License Plate Reader System: Mr. Dehart said that Duquesne light Company (DLC) has approved attachment to their facilities for the installation of a License Plate Reader (LPR) system at the intersection of Brighton Road and Dutch Ridge Road. Three (3) proposals were requested for the installation of the LPR. Result were as follows.

Secure Technical Solutions:	\$15,782
Vigilant Solutions (4/5/2024):	\$27,550
Security Systems of America:	No Bid

Mr. Dehart noted that Secure Technical Solutions maintains the existing system at Brighton Road and Tuscarawas Road.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the low quote from Secure Technical Solutions in the amount of \$15,782 subject to final approval of the installation by DLC.

Adopt Revised Right to Know (RTK) Policy & Designating RTK Officers: The Township's Right to Know (RTK) Policy has been updated to match the model policy provided by the PA Office of Open Records. The RTK Officers are also updated within the Policy.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to adopt the Brighton Township Right to Know Policy and designate Bryan K. Dehart as the Open Records Officer for Township Records, Howard Blinn as the Open Records Officer for Police Records and Joshua Krizan as the Alternate Open Records Officer for Police Records.

Two Mile Run PRP Stormwater Project Updates and/or Actions Including Land Acquisition Status: The Township Engineer is designing and obtaining permits for 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 has been acquiring additional

property for the project site. The Solicitor reported that the Township has closed on the acquisition of the Peters property that was part of the Peters-Brighton Township Plan of Subdivision and Lot Consolidation. The Township previously acquired the Pentz property through a condemnation action. However, a final value for the land condemnation has not been established or agreed upon and no response has been received from the attorneys representing Mr. Pentz or Citizens Bank regarding the Solicitor's February 22, 2024 letter with comments on the appraisal submitted on behalf of Citizens Bank.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to authorize the Township Solicitor to proceed with legal action necessary to conclude the valuation process of the land acquired from Pentz by condemnation action.

The Township Engineer said that the Road Department has begun construction of the access road into the site of the pond construction. Representatives of the gas line company were present during the construction and are satisfied with the methods employed by the Township to protect their facilities. Once the access is completed the Geo-Technical Engineer will enter the site for necessary core drillings to complete the design work. Ms. Hartman also said that application has been made to PennDOT for the Highway Occupancy Permit needed for the permanent access driveway.

Township MS4 Program: The Township Engineer said that the annual BMP inspections have been scheduled for April 25, 2024. The Road Foreman attends these inspections also.

Stormwater BMP Operations & Maintenance Agreements: Edward L. & Carol L. Naugle have filed an individual small stormwater management BMP Agreements for construction of single-family home at 4529 Dutch Ridge Road. The BMP proposed is the construction of a rock sump.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the Agreement for individual small stormwater management BMP Agreement submitted by Edward L. & Carol L. Naugle for construction of single-family home at 4529 Dutch Ridge Road.

McNamee Subdivision: This plan is a three (3) lot subdivision on Western and 5th Avenues. Lots 1 & 2 are proposed as new building lots for single family homes. The Remainder Lot has an existing home. The Board reviewed the McNamee Subdivision plan prepared by Sample Land Surveying LLC. Mr. Dehart said that the plan submitted has been revised in response to the Township Engineer's review letter dated March 11, 2024. The Board also reviewed a copy of the Beaver County Planning Commission's review letter dated March 20, 2024. The PA DEP sewage planning module has been approved. At their meeting of April 1, 2024, the Brighton Township Planning Commission recommended approval of the McNamee Subdivision plan prepared by Sample Land Surveying LLC.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the McNamee Subdivision plan prepared by Sample Land Surveying LLC and to authorize recording of the final plan.

Roberts Run Subdivision: Roberts Run, LLC has filed a 56-lot plan of subdivision for single family homes. Lot Nos. 1-53 are new building lots. Lot Nos. 54 and 56 are open space lots offered for dedication to Brighton Township, and Lot No. 55 is an open space lot with a stormwater management facility to be dedicated to the HOA. The Board received and reviewed the set of plans for the Subdivision and Land Development Plans Roberts Run Subdivision and the Township Engineer's review of April 1, 2024.

Brad Roman of Larson Design Group was in attendance. He presented the plan, reviewing the lot layout, the offer of dedicated lands and remaining engineering comments to be addressed. He also reviewed the waivers being requested as part of the subdivision application, and those that will be requested as part of the grading permit.

At their meeting of April 1, 2024, the Brighton Township Planning Commission recommended preliminary plan approval of the Roberts Run Subdivision as prepared by Larson Design Group dated March 20, 2023 as revised with final plan approval subject to the following conditions:

1. Applicant shall secure a Grading Permit from Brighton Township and comply with any conditions made a part of the permit approval, including the posting of financial security. An NPDES Permit shall be secured from the PA DEP prior to issuance of any Grading Permit by Brighton Township.
2. Applicant shall execute and have recorded a Stormwater Best Management Practices Operations and Maintenance Agreement with Brighton Township as prepared by the Township.
3. Applicant agrees to grant to Brighton Township for recording a minimum 20-foot width public access easement between Lots Nos. 19 and 20.
4. Securing a Pennsylvania Department of Transportation Highway Occupancy Permit for Taylir Drive access to Tuscarawas Road.
5. Compliance with the Township Engineer's comments of April 1, 2024, including any subsequent reviews undertaken pursuant to additional submittals by the applicant, and implementation of the required improvements.
6. Execution of a Developer's Agreement with Brighton Township, including the posting of the required financial security as approved by the Township Engineer.
7. Compliance with the Brighton Township Municipal Authority Engineer's comments of February 5, 2024, including any subsequent reviews undertaken pursuant to additional submittals by the applicant.
8. Securing a Pennsylvania Department of Transportation Highway Occupancy Permit for public water construction within the Tuscarawas Road right-of-way.

9. Execution of a Developer's Agreement with the Brighton Township Municipal Authority, including the posting of the required financial security as may be approved by the Authority Engineer.
10. Compliance with the Brighton Township Sewage Authority Engineer's comments of February 5, 2024, including any subsequent reviews undertaken pursuant to additional submittals by the applicant.
11. PA DEP Sewage Planning Module approval.
12. Execution of a Developer's Agreement with Brighton Township Sewage Authority, including the posting of the required financial security as may be approved by the Authority Engineer.

Mr. Dehart reviewed the three (3) waivers that are being requested from requirements of the Subdivision and Land Development Code that the Planning Commission also recommended for approval. First is the granting of a waiver of Sections 180-9 LOT and 180-22 Lots to not require Lots Nos 54, 55 and 56 to have frontage on a public street. Lot Nos. 54 and 56 are open space lots to be dedicated to Brighton Township, and these lots are contiguous to other properties owned by Brighton Township within Two Mile Run Park. Lot No. 55 will have the stormwater facility constructed, with the lot to subsequently be transferred to the HOA. A driveway to the facility will be constructed between Lot Nos. 14 and 15 within a 40-foot stormwater and access easement.

Second is the granting of a waiver of Section 180-93A: Pedestrian Circulation to not require sidewalks on the west side of Taylir Drive from Tuscarawas Road to Lot No. 52, a distance of approximately 345 LF and no sidewalks on the Tuscarawas Road frontage. The subject area of Taylir Drive only has new lot construction on the east side.

And, third, the granting a waiver of Section 180-64.1 Public recreation lands and facilities by accepting for dedication Lot Nos. 54 and 56 totaling 32.31 totaling 32.31 acres as Township parks and open space satisfying the requirements under this section. The land offered for dedication is included on the Township's Official Map as a future land acquisition area, and the Township has specifically requested dedication of the land being offered.

The Solicitor recommended one further condition of approval, that the recording plan include lot dimensions and the setbacks for each lot. Mr. Dehart recommended that the January 8, 2024 approval of Lot Consolidation Plan Robert Run Subdivision as prepared by Larson Design Group dated November 13, 2023 and last revised December 4, 2023 be reaffirmed.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to reaffirm the January 8, 2024 approval of Lot Consolidation Plan Robert Run Subdivision as prepared by Larson Design Group dated November 13, 2023 and last revised December 4, 2023; and to approve the three (3) waivers from requirements of the Subdivision and Land Development Code requested by the applicant for the reasons specified by the Planning Commission and as reviewed by the Township Manager as follows:

1. Grant a waiver from Sections 180-9 LOT and 180-22 Lots to not require Lots Nos 54, 55 and 56 to have frontage on a public street.
2. Grant a waiver of Section 180-93A: Pedestrian Circulation to not require sidewalks on the west side of Taylir Drive from Tuscarawas Road to Lot No. 52, a distance of approximately 345 LF and no sidewalks on the Tuscarawas Road frontage.
3. Grant a waiver of Section 180-64.1 Public recreation lands and facilities by accepting for dedication Lot Nos. 54 and 56 totaling 32.31 totaling 32.31 acres as Township parks and open space satisfying the requirements under this section.

The motion further grants preliminary plan approval of the Roberts Run Subdivision as prepared by Larson Design Group dated March 20, 2023 as revised with final plan approval subject to the following conditions:

1. Applicant shall secure a Grading Permit from Brighton Township and comply with any conditions made a part of the permit approval, including the posting of financial security. An NPDES Permit shall be secured from the PA DEP prior to issuance of any Grading Permit by Brighton Township.
2. Applicant shall execute and have recorded a Stormwater Best Management Practices Operations and Maintenance Agreement with Brighton Township as prepared by the Township.
3. Applicant agrees to grant to Brighton Township for recording a minimum 20-foot width public access easement between Lots Nos. 19 and 20.
4. Securing a Pennsylvania Department of Transportation Highway Occupancy Permit for Taylir Drive access to Tuscarawas Road.
5. Compliance with the Township Engineer's comments of April 1, 2024, including any subsequent reviews undertaken pursuant to additional submittals by the applicant, and implementation of the required improvements.
6. Execution of a Developer's Agreement with Brighton Township, including the posting of the required financial security as approved by the Township Engineer.
7. Compliance with the Brighton Township Municipal Authority Engineer's comments of February 5, 2024, including any subsequent reviews undertaken pursuant to additional submittals by the applicant.
8. Securing a Pennsylvania Department of Transportation Highway Occupancy Permit for public water construction within the Tuscarawas Road right-of-way.

9. Execution of a Developer's Agreement with the Brighton Township Municipal Authority, including the posting of the required financial security as may be approved by the Authority Engineer.
10. Compliance with the Brighton Township Sewage Authority Engineer's comments of February 5, 2024, including any subsequent reviews undertaken pursuant to additional submittals by the applicant.
11. PA DEP Sewage Planning Module approval.
12. Execution of a Developer's Agreement with Brighton Township Sewage Authority, including the posting of the required financial security as may be approved by the Authority Engineer.
13. Final recording plan shall include the lot dimensions and setbacks on each lot within the subdivision plan.

Deerfield Preserve – Corrective Action Notice: The Board previously authorized the Township Manager, Engineer, and Solicitor to proceed with all necessary actions to have corrective action taken by a reputable contractor to replace the perpendicular cross pipes installed on Fox Water Trail at the wetlands crossing and to repair/replace the damaged parallel storm water piping on Fox Water Trail that is damaged, with a claim to be filed with the developer's financial security for reimbursement of all costs incurred. Chaffee Excavating has been selected for this work. Weather has delayed the start of the work, but it is expected to be completed soon. The Engineer will review the work, and payments will be drawn from the financial security.

Additional Business: The Township Engineer said that Youngblood Paving has sealed the joint cracks from the 2022 road paving program under the maintenance period. She further reported that LSSE has filed applications for Federal FY25 funding. Projects included the Fire Training Facility and the Social Hall Renovations.

Mr. Gordon asked if Beaver County could be requested to mark the trailheads and trail names for emergency response.

Public Comment: There was no public comment.

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

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to adjourn the meeting at 7:49 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary