

## MINUTES

### BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

July 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. Three (3) 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

**Announce Executive Session:** The Chairman announced that the Board met prior to the meeting from 6:30 P.M. to 6:47 P.M. in Executive Session to discuss personnel and real estate. Also present were the Township Manager and Township Solicitor.

**Public Comment – Agenda Items:** There was no public comment.

**Minutes of June 10, 2024 Regular Meeting:** Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the minutes of the June 10, 2024 Regular Meeting.

Mr. Curtaccio dispensed with the reading of the monthly **June Reports**. Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the following June 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:** Officer James Lema has submitted his resignation to accept a full time position with another agency. Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the resignation of Jame Lema from the Brighton Township Police Department.

**Contract No. 24-R01 the 2024 Roadway Improvement Program:** The Board has awarded the bid for the 2024 roadway improvement program to Youngblood Paving, Inc. for **Contract A (Liquid Fuels):** \$457,363 and **Contract B (BTMA Parking Lot):** \$34,083.75. Contract documents have been executed. The Township Engineer reported that their office has been advised by the contractor that the anticipated start date of the paving program is August 5, 2024.

**Approve Proposal for Sealing & Striping Two Mile Parking Lot:** Hilltop Paving has submitted a proposal in the amount of \$9,650 to seal and stripe the parking lot at Shultz Lodge, Two Mile Run Park. Hill Paving did similar work in the past at the Hardy Field parking areas. The work would be completed after the summer rental season.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the proposal from Hilltop Paving in the amount of \$9,650 for the sealing and striping of the Two Mile Run parking lot.

**Proposal for Lawn & Turf Treatment:** The Township currently has Gumpf Gardens provide lawn and turf treatments for the baseball and football facilities at Hardy. A proposal to add the soccer field and other open lawn areas has been submitted by Gumpf Gardens for an annual cost of \$6,601.34 (\$5,244.37 soccer and \$1,356.97 lawn areas). The cost would be pro-rated for the 2024 season.

After review, Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the proposal of Gumpf Gardens for lawn and turf treatments of the soccer field and other open lawn areas at an annual cost of \$6,601.34.

**Two Mile Run Park Trails Phase 2 Bid:** The Township has received a \$100,000 grant for the construction of the Two Mile Run Park Trails Phase 2 project. The project includes Trail Loop B (2,600 LF) and Trail Loop C (2,225 LF). At the June meeting, the Board authorized the release of bids for each trail individually and as a package. The Township Engineer advised that the bids have been advertised with a due date of 11:00 A.M. on July 31, 2024.

**Drainage Easement Agreement:** Brighton Township has requested a storm drainage easement from Edward D. Shebatka of 116 Coleman Drive. Mr. Shebatka has agreed to grant the easement. The Township Engineer has prepared a legal description and plan exhibit of the drainage area. The Township Solicitor has prepared the Easement Agreement for execution.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the drainage easement and authorize the execution of the Easement Agreement for recording after first being executed by Mr. Shebatka.

**Contract No. 22-ST01 2022 Stormwater Improvements (Beaver Woods Detention Pond):** The final contract payment for the Beaver Woods Detention Pond Retrofit Project with Pride Masonry, Inc. was approved in November of 2023, at which time the maintenance period was entered into. An inspection by the Beaver County Conservation District (BCCD) found some items that need to be addressed. The Township Engineer said that their office will issue a response

to the BCCD this week and will also issue a letter to the contractor of corrective actions they need to complete under the maintenance bond.

**Two Mile Run PRP Stormwater Project Update:** 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 Engineer stated that the geotechnical engineer has issued a report for the site and found it suitable for the proposed project. The spoil materials at the Beaver Woods Detention Pond location were also tested for use in the construction project. The material meets all requirements for the intended use. The PennDOT Highway Occupancy Permit has been secured for the access driveway. The permit for the non-jurisdictional dam is pending.

**Township MS4 Program:** The Township Engineer said that the PA DEP has scheduled an inspection of the Township's MS4 program for July 11, 2024. The inspection includes a review of records, including the Township's Minimum Control Measures. The inspection will evaluate the municipal garage and grounds, and conduct outfall inspections.

**Stormwater BMP Operations & Maintenance Agreements:** The Nicole Marie Cekoric and Keith Paul Fajtak Living Trust has filed an individual small stormwater management BMP Agreements for construction of garage at 5275 Tuscarawas Road. The BMP proposed is the construction of a rock sump and infiltration trench.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the Agreement for individual small stormwater management BMP Agreement submitted by The Nicole Marie Cekoric and Keith Paul Fajtak Living Trust for construction of garage at 5275 Tuscarawas Road and authorizing its execution for recording.

**Gypsy Glen Road Slides:** There are two (2) existing slides on Gypsy Glen Road that partially encroach on the pavement, and could possibly slide further onto the roadways. Notices were sent to the property owners to advise them of any obligations they may have for corrective action. All three (3) owners or their representatives have contacted the Township. Mr. Dehart reported that two (2) said they have contacted engineers or other professionals for evaluation. The 3rd said they would cooperate with the adjacent owner.

**Zoning Code Amendment to Add Place of Worship to all Zoning Districts:** A proposed amendment to the Zoning Code has been prepared that adds a Place of Worship (Church) as a Permitted Use in the HC-1 Health Care Service District, C-1 Neighborhood Commercial District, and the C-2 Mixed Use District. A Place of Worship is added as a Conditional Use to the SC-1 Special Conservation District. The Board has scheduled, and the Solicitor has advertised, a public hearing at 6:15 P.M. on August 12, 2024.

**Revised and Restated Subdivision & Land Development Code:** A revised and restated Subdivision and Land Development (SDDL) Code has been prepared and recommended for approval by the Planning Commission. The revisions were started after adoption of the Implementable Comprehensive Plan to address recommendations of the Plan. The changes are comprehensive, which led to the decision to repeal the existing Chapter 180 Subdivision and Land

Development Code and adopt a revised and restated Code. The Board has scheduled, and the Solicitor has advertised, a public hearing at 6:25 P.M. on August 12, 2024.

**Minimum Construction Standards and Details:** As part of the revised and restated Chapter 180 Subdivision and Land Development Code, the Minimum Construction Standards and Details have also been updated. These will be adopted by Resolution, and are referenced within the revised and restated Chapter 180. Thereafter, all details will be located within the Minimum Construction Standards and Details, along with various signature blocks for plans, and a model Conservation and Recreation Easement. These will be adopted by resolution at the August meeting with the revised and restated Chapter 180.

**Fee-In-Lieu of Dedication of Public Recreation Land:** The revised and restated Chapter 180 Subdivision and Land Development Code includes an updated Section 180-64.1 Public Recreation Land and Facilities. Under this Section the Board can levy a fee-in-lieu of dedication of public land for each residential unit of up to \$1,427.27. This fee is based upon calculations in the Brighton Township Public Recreation Land and Facilities Plan that was updated by the Board at their meeting of November 13, 2023. The current fee is \$500 per residential unit, established in December 2005. A Resolution to amend this fee will be on the August agenda as part of adoption of the revised and restated Chapter 180 Subdivision and Land Development Code. The Board discussed Mr. Dehart's fee recommendation of \$1,000 per residential unit to be included in the Resolution to be presented at the August meeting. Mr. Dehart noted that the fee does not apply to minor subdivisions of three (3) units or less and does not apply to current plans that have been submitted or approved.

**Lot Line Revision Plan for Beaver Valley Church of God:** The Board reviewed the Lot Line Revision Plan for Beaver Valley Church of God. The plan is a lot line revision plan for Lots 9, 10, 11, 14 and 15 of the Fair Acres Plan. The five (5) contiguous lots within the Fair Acres Plan are owned by the Beaver Valley Church of God. Lots 9, 10 and 11 are occupied by the church and parking areas. These lots will be consolidated. Lot 15 has an existing home. Lot 14 is a vacant residential lot. Lots 9, 10, and 11 are being increased in size to incorporate the existing parking area that encroaches onto Lots 14 and 15. A Place of Worship (church) is a permitted conditional use in the R-1 Zoning District. The existing church building and parking areas are considered non-conforming as they do not meet the setbacks required by the Zoning Code, but pre-existed the regulation. The Board also received the Township Engineer's letter dated May 30, 2024 and the Beaver County Planning Commission review letter dated June 19, 2024. Mr. Dehart said that the submitted plan has been revised response to the Township Engineer's review letter dated May 30, 2024. At their meeting of July 1, 2024, the Planning Commission recommended approval of the Lot Line Revision Plan for Beaver Valley Church of God as prepared by Sample Land Surveying LLC and dated May 13, 2024.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the Lot Line Revision Plan for Beaver Valley Church of God as prepared by Sample Land Surveying LLC and dated May 13, 2024.

**Aspen Fields Phase 5 Dedication of Public Improvements:** Maronda Homes has submitted a letter dated May 28, 2024 to request dedication of the public improvements in Aspen

Fields Phase 5. The Township Engineer gave a report on what is needed prior to proceeding with dedication of the public improvements. In addition to dedication of the roads, certain storm sewer areas outside of the street rights-of-ways will need described for dedication. Other storm sewer areas will be conveyed to the HOA.

**Deerfield Preserve Plan Status:** The Township Engineer previously presented an updated punch list of items outstanding in the development. Some of these are pending completion of the home construction in the plan. The Sewer Authority and Municipal Authority have issued similar punch lists.

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

**Public Comment:** Dan Gordon of 195 Neville Road asked why Berkheimer was used to collect taxes when there is an elected Tax Collector. Mr. Dehart said that the State Legislature passed an Act years prior that required the consolidation of earned income tax collection on a county-wide basis. Berkheimer has been selected by the Beaver County Tax Collection Committee.

Mr. Gordon asked about the evaluation of his driveway. He stated that rain water from Neville Road rushes down his upper driveway, through the back of his property. He said the adjacent property of his parents (255 Neville Road) has a similar situation, but not as severe. The Township Engineer said she had reviewed the issue before with the Road Foreman. She will evaluate her notes from the office and contact Mr. Gordon.

Ed Gray of 975 Dutch Ridge Road asked about the paving of Western Avenue. Mr. Dehart said that he has been advised by Columbia Gas that Youngblood Paving, Inc. has been contracted with to repave Western Avenue where Columbia Gas performed construction activities.

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

**Adjournment:** Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to adjourn the meeting at 7:53 P.M.

Respectfully submitted,

Bryan K. Dehart  
Township Secretary