

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

December 9, 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. Two (2) visitors were present.

PRESENT: John Curtaccio – Chairman
 Mark Piccirilli – Vice Chairman
 Gary J. Gordon – Supervisor
 Bryan K. Dehart - Manager/Secretary
 Kathryn L. Johnston, Esq. – Solicitor
 Marie S. Hartman, P.E. - Township Engineer

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

Minutes of November 12, 2024 Regular Meeting: Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the minutes of the November 12, 2024 Regular Meeting.

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

Brighton Township Municipal and Sewage Authorities Resignation: Kerien Fitzpatrick has resigned from both the Municipal Authority and Sewage Authority. The resignation creates a vacancy on the Municipal Authority for term ending December 31, 2027 and a vacancy on the Sewage Authority for a term ending December 31, 2025.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the resignation of Kerien Fitzpatrick from the Municipal Authority and Sewage Authority effective with the year ending December 31, 2024.

Personnel Action(s): Public Works Class B: The Board previously authorized advertisement for the hiring of an individual for the Public Works Department. Mr. Dehart recommended that the Board approve the hiring of Eugene Jones as a Public Works Class B employee subject to pre-employment CDL drug testing, physical and driving record check. Wages are recommended to start at step 3 with benefits in accordance with the labor agreement.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the hiring of Eugene Jones as a Public Works Class B employee, with wages starting at step 3, subject to pre-employment CDL drug testing, physical and driving record check.

Approve Purchase of Police Equipment: Tasers - A quotation has been received from Axon Enterprise, Inc. in the amount of \$54,610.80 through Sourcewell Contract #101223-AXN for Tasers. The payments will be over a 5-year period with the 2025 payments totaling \$12,121.06. The proposal includes 10 units, holsters, docking station, batteries, accessories, and training.

Mr. Gorgon made a motion, seconded by Mr. Piccirilli, to accept the quotation in the amount of \$54,610.80 from Axon Enterprise, Inc. for the purchase of Tasers through Sourcewell Contract #101223-AXN, with payments of \$12,121.06 in 2025 and the balance of payments extending through January 2029.

In Car Video System – A quotation has been received from Motorola Solutions in the amount of \$10,600.25 through Sourcewell Contract #176810 for the purchase, installation, and warranty for an in car video system. The purchase will be mostly reimbursed through an existing PCCD grant.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the quotation in the amount of \$10,600.25 from Motorola Solutions for the purchase, installation, and warranty of an in car video system through Sourcewell Contract #176810.

Approve Quotation for Batting Cage: A quotation for the purchase of a double outdoor batting cage 70' in length has been received from Natal Sporting Goods, a division of Greater Pittsburgh Specialty Advertising, in the amount of \$13,495.95 through CoStars Contract 3037-E24-058. The cost includes posts, cabling, nets, and shipping. Installation will be by the Township at Hardy Field. The Beaver Area School District (BASD) has been asked to share in the cost of the purchase. The request was for 50% of the total incurred costs. The BASD will take that request under consideration at their December 9, 2024 meeting.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the quotation in the amount of \$13,495.95 from Natal Sporting Goods, a division of Greater Pittsburgh Specialty Advertising, for the purchase of a double batting cage through CoStars Contract #037-E24-058, with the order subject to confirmation of a cost sharing arrangement with BASD.

Refuse & Recycling Collection Contract Bid: The Township is in the final year of the contract with J. Young Refuse, which expires June 30, 2025. Bids will need to be released for opening in advance of the February 2025 meeting. Bid award will take place at the February or March 2025 meeting. Bids are for a three (3) year period with an option to mutually agree to extend the contract for an additional two (2) year period. Prior to bid release the contract will be reviewed for changes. The Manager discussed adding an option to include collection by tote or cart carrier type service. The Board said they preferred to continue to bid on that same basis as prior contracts. There was no objection to placing some limits on bulk collections evaluating the unlimited collection.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the release of bids for the Refuse and Recycling Collection Contract for a bid opening prior to the February 2025 meeting.

Contract No. 24-R01 the 2024 Roadway Improvement Program: The Board 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. The project is complete.

Change Order No. 1 (FINAL) – The Engineer has submitted and recommended for approval Change Order No. 1 (FINAL) to decrease the final contract from \$491,446.75 to \$456,202.66, a reduction of \$35,244.09 broken down as follows:

<u>Contract A</u>	<u>Contract Price</u>	<u>Final Cost</u>	<u>Change +/-</u>
Base Bid:	\$367,010.00	\$339,121.53	(\$27,888.47)
Add Alt 1:	\$ 45,471.00	\$ 46,085.92	\$ 614.92
Add Alt 2:	\$ 44,882.00	\$ 38,832.82	(\$ 6,049.18)
Contract A Final:	\$457,363.00	\$424,040.27	(\$33,322.73)
<u>Contract B</u>	<u>Contract Price</u>	<u>Final Cost</u>	<u>Change +/-</u>
Base Bid:	\$ 34,083.75	\$ 32,162.39	(\$ 1,921.36)

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorize execution of Change Order No. 1 (FINAL) to reduce the final Contract No. 24-R01 the 2024 Roadway Improvement Program by \$35,244.09.

Partial Payment No. 2 (FINAL) - The Engineer has submitted and recommended for approval Partial Payment No. 2 (FINAL) in the amount of \$15,305.07. Of this amount, \$804.06 has been reimbursed by the Brighton Township Municipal Authority for Contract B – BTMA Parking Lot.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve Partial Payment No. 2 (FINAL) in the amount of \$15,305.07 for payment to Youngblood Paving, Inc.

Contract No. 24-PK1 Two Mile Run Park Trails Phase 2: At the July meeting, the Board awarded Contract C (Trail B and Trail C) to LM&R Excavating, LLC in the amount of \$159,900. The project is substantially completed. The Engineer reported that all work is completed with the exception of restoration. Due to the season, vegetation cannot be established at this time. A final walk through will be conducted in the spring.

Partial Payment No. 2 - The Engineer has submitted and recommended for approval Partial Payment No. 2 in the amount of \$83,781. Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Partial Payment No. 2 in the amount of \$83,781 for payment to LM&R Excavating, LLC.

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 found items that need to be addressed. The Township Engineer has issued to the contractor a listing of outstanding items.

The Township Engineer has issued to the contractor by letter of October 31, 2024 a listing of outstanding items. The Township Engineer had reported that the contractor has not responded to their correspondence of October 31st. However, the seeding required cannot be completed until spring. As built drawings are being prepared of the basin. The Township Engineer has also submitted a NPDES Permit renewal application to the Beaver County Conservation District.

AT&T Cell Site – First Amendment to Land Lease Agreement: The Township currently holds a land lease with AT&T for a cell tower located at 1400 Brighton Road. At the October meeting the Board approved amending the lease, subject to the Solicitor’s review and approval. The First Amendment to the Land Lease Agreement has been prepared and submitted for execution. The proposal is to change the amount of the lease to \$1,175 per month starting January 2025, with a 10% rent increase at the end of each 5-year term starting May 1, 2031. The Solicitor has reviewed the document. She reported on several other changes that had been requested within the lease amendment, but she objected to them, and they were removed.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve and authorize execution of the First Amendment to Land Lease Agreement for the AT& T cell site at 1400 Brighton Road.

Animal Control Services Agreement: The Beaver County Humane Society has submitted an Agreement for the provision of animal control services effective January 1, 2025. The Agreement retains the monthly fee as \$346.50 as well as other fees. All the fees are consistent with the expiring Agreement.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorize execution of the Agreement with the Beaver County Humane Society for animal control services for 2025.

Agreement for Use of Township Facilities: The Township and Beaver Area School District (BASD) are negotiating an Agreement for Use of Township Facilities. The Township Solicitor drafted the Agreement and has been discussing a final version with the BASD Solicitor. The purpose of the Agreement is to establish basic ground rules for use of Township fields. The Solicitor reported that she has discussed the Agreement with the BASD Solicitor, and they have agreed to language changes. The BASD Solicitor will be presenting the proposed Agreement to the District at their meeting tonight. Mr. Curtaccio asked if a section could be added that permitted the use of the batting cage(s) by BASD teams only, and restricted the use by visiting teams. The Solicitor will add that language. It was noted that the BASD previously stated that it was their intention to have that restriction as it was common practice.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve and authorize execution of the Agreement with the BASD, subject to final approval of a revised Agreement by the Solicitor.

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. A Chapter 105 Non-Jurisdictional Dam Permit Application is being prepared for filing as part of this project. The Engineer said that she anticipates the design work to be completed prior to the next meeting.

Township MS4 Program: There have been no new actions since last month. Planning for the next permit year cycle is underway.

Adopting the 2025 Budget: The 2025 Budget was presented at the October 14, 2024 meeting and reviewed a second time at the November 12, 2024 meeting. The 2025 Budget has been advertised for adoption. The budget establishes a Real Estate Tax Levy of 2.2500 mills. The Stormwater Fee is budgeted to remain at \$5.50 per month per ERU.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve **Resolution No. 2024-25** adopting the 2025 Budget as follows: General Fund \$6,248,003; Stormwater Fund \$1,100,000; Capital Reserve Fund \$4,646,000; State Aid Fund \$322,171 and Police Pension Fund \$4,345,421.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve **Resolution No. 2024-26** establishing a 2025 Real Estate Tax Levy of 2.2500 mills.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve **Resolution No. 2024-27** establishing a 2025 Earned Income Tax Levy of 1.0%.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve **Resolution No. 2024-28**, establishing a 2025 Per Capita Tax Levy of \$5.00.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve **Resolution No. 2024-29**, establishing a 2025 Amusement Tax Levy of 5.0%.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve **Resolution No. 2024-30**, establishing a 2025 Local Service Tax Levy of \$47 Brighton Township/\$5.00 Beaver Area School District.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve **Resolution No. 2024-31**, establishing a 2025 Real Estate Transfer Tax Levy of 0.5%.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve **Resolution No. 2024-32**, establishing the base 2025 ERU Stormwater Management Fee as \$5.50 per month.

Ordinance to Establish the Compensation of Supervisors: Act 94 of 2024 has increased the permitted compensation of Township Supervisors. Under the Act, the maximum annual compensation permitted for a Second Class Township with a population of 5,000 to 9,999 is \$4,190. The current salary is \$2,500 per year. At the November meeting the Board authorized the Township Solicitor to prepare and advertise for consideration an ordinance to increase the compensation of a Township Supervisor to \$4,190 effective with elected terms of office starting on or after January 2026. The Township Solicitor presented the proposed ordinance to be advertise it for consideration at the January Board meeting.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to authorize the Solicitor to proceed with advertising the proposed ordinance for consideration at the Board's January 2025 meeting.

Wright Plan of Lots: The Wright Plan of Lots is a three (3) lot subdivision on Chapel Road. Parcel 1 has the existing home of the Wrights, and is 77.994 acres in size. Parcels 2 and 3 are proposed as new building lots. Parcel 2 and Parcel 3 are each 22.739 acres in size. Sewage is proposed as two (2) individual low flow sewage treatment facilities with direct stream discharge. The Board reviewed the site plan prepared by MDM Surveyors & Engineers, LLC, and the Township Engineer's Review No. 2 comments by letter of October 21, 2024, and the Beaver County Planning Commission review letter of November 20, 2024. At their meeting of December 2, 2024, the Brighton Township Planning Commission recommended approval of the Wright Plan of Lots subject to PA DEP Sewage Planning Module approval.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve the Wright Plan of Lots, with final plan approval and recording subject to PA DEP Sewage Planning Module approval.

Inspection Agreements for Single Residence Sewage Treatment Plant With Stream Discharge for Parcels 2 & 3 of the Write Plan of Lots: The Wright Plan of Lots is subject to a PA DEP Sewage Planning Module Approval. That module has been submitted for action by the Board of Supervisors. The submission includes two (2) Agreements between the applicant and the Township that provides for the inspection and maintenance of the proposed individual sewage treatment facilities for Parcels 2 and 3. The Agreements will be superseded with new Agreements requiring a cash escrow at the time building permits are secured. The Solicitor said that the

Agreements were revised at the Township's insistence to remove language from the submitted Agreements that they were the final Agreements. At the time a building permit is secured, the Township will require a new Agreement to be recorded and run with the land, and include a cash deposit escrow to guarantee continued maintenance on the treatment facilities to be installed.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorize execution of the Inspection Agreements for Single Residence Sewage Treatment Plant With Stream Discharge for Parcels 2 & 3 of the Write Plan of Lots.

Resolution No. 2024-33 Wright Plan of Lots – Sewage Planning Module: The applicant has submitted a PA DEP Sewage Planning Module for the use of two (2) individual low flow sewage treatment facilities with direct stream discharge. As part of the Module, Resolution No. 2024-33 states that the plan is consistent with the Comprehensive Plan, Zoning Code, and Subdivision and Land Development Code and amends the Official Sewage Facilities Plan of Brighton Township.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve Resolution No. 2024-33 Wright Plan of Lost Sewage Planning Module – revision to the Official Sewage Facilities Plan of Brighton Township.

Additional Business. The Township Engineer stated that the LSA Grants approved by the Board at the November meeting have been submitted.

This is the last meeting for Kathryn L. Johnston as the Township Solicitor. She expressed what a pleasure it has been to serve as the Solicitor for Brighton Township, and a joy to work with the various Supervisors and staff. Each Board member and Manager said how much they appreciated her service and friendship over the years, and wished he well in the future.

Public Comment: Mr. Ed Grey of 975 Dutch Ridge Road asked if the Tasers would replace the police firearms. He was advised that they do not.

Mr. Grey asked who owned and maintained a paved walking track located at Bradys Run Road and PA Route 51. It is owned and maintained by Beaver County. He wants to contact them to see if lighting can be added.

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

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to adjourn the meeting at 7:40 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary