

BRIAR CREEK BOROUGH
January 4, 2023
REGULAR COUNCIL MEETING MINUTES

President W. Bruce Michael called the meeting to order at 7PM. The Pledge Allegiance to the Flag was recited, followed by a Moment of Silence.

Roll call of Council Members was taken. Present: Mayor Harold Kershner, Jr., W. Bruce Michael, E. James Seeley, David Kershner, Ed Fenton, Joseph Riggio, James Long, and Bill Witner. Other officials present were Secretary Carol Kieser and Larry Frace. Absent: Solicitor, and Engineer.

Citizens present: John Trivelpiece, Holli Trivelpiece, Jordan Smith, and David DeHaven.

Minutes of the November 30 Work Session and December 7, 2022 Regular Council Meeting were approved as recorded.

No citizen's comments or complaints were received.

No Mayor's Report was given.

Solicitor's Report – Email from Attorney Barry Lewis was discussed. An ordinance granting a franchise to Breezeline and Comcast is needed to enter into the agreements. Both ordinances need to be advertised before adoption. Attorney Lewis has started the draft ordinances. Council is in agreement that no franchise fee will be received by the Borough from the operation of the cable company; however, the agreement should be open ended in case a future franchise fee shall be assigned. PSAB clarified that an ordinance is needed for each agreement and both agreements must have the same terms.

Breezeline has offered to provide free internet and cable service to the Borough. The free cable service will be provided thru a side letter to the Borough and not included in the agreement. Free internet service is included in the terms of the agreement.

Motion by Ed Fenton/seconded Joe Riggio to adopt Resolution 1-2023, Establishing a Schedule of Attorney Fees. Motion carried; no opposed.

No Engineer's Report was submitted.

Larry Frace submitted and discussed the January 2023 Zoning Report. Copy of report is filed in the Borough office.

- Complaint about light at 30 E. Rittenhouse Mill Road was addressed. Picture was submitted to Council showing the "white glare line" from the light. John Trivelpiece viewed the photo and agreed with the angle the photo was taken; however, he has several other photos from different angles where the light is causing problems at his home. Zoning Officer requested Peter's Consulting to include the outside lighting on the plot plan for Smith Pipe and Welding. A planning commission meeting date has not been set pending receipt of the plot plan.

- Complaint about remodeling at 34 E. Rittenhouse Mill without a permit was discussed. Zoning officer visited site and no permits are needed for the type of remodeling that is being performed.
- Complaint was received from EMS that a person is still in the structure at 51 Village Lane. Property was visited and no one was there at the time. Message was left for EMS to return a call to Larry Frace.
- Letter was received from May's Self Storage stating they revised the plot plan. Waiting on comments from Columbia County.
- Name Brand Liquidations is moving into the retail section of the Shannon Building and occupancy permit has been issued.

Motion made by Ed Fenton/seconded Jim Long to approve the Secretary/Treasurer's Report. Motion carried; no opposed.

Committee Reports

Law and Finance – Email from Shelley Houk, PSAB, and Greg Dibble, PennDOT, was read to explain the 2023 bidding thresholds as: total dollar amount spent on a project in a calendar year; cannot piece meal.

Highways and Streets – Motion by Dave Kershner/seconded Joe Riggio to approve the public works hours for Jim Long. Motion carried; no opposed.

Building and Grounds – Agreement from Marr Construction was presented to purchase and install two new entrance doors. Requested changes were made in the agreement to include a completion date and notation to deliver the doors to the Borough two weeks before installation for painting. Motion by Jim Seeley/seconded Ed Fenton to sign the agreement. Motion carried; no opposed.

BAJSA – No report. Reorganization meeting is scheduled for Wednesday, January 11, 2023.

Old or Unfinished Business

A meeting with BIDA to discuss a proposed solar project at the Baron Farm has been scheduled for Wednesday, January 11, 2023.

Letter from BIDA to update Council on the 2022 accomplishments and proposed 2023 projects. The \$1000 fee has been waived for the year 2023.

Currently waiting on date from PennDOT for a preconstruction meeting for the Rt. 11 project. Discussion was held by Council regarding an agreement between PennDOT and the Borough. Secretary will research the agreement.

No review was held regarding the zoning districts.

Jim Long reported on the Berwick/Briar Creek Borough recycling program. Berwick Borough discussed the proposed program and a fee for the program.

A 2023 grant is available thru the Community Giving Foundation. Secretary will apply for the grant to fund the pavilion project.

New Business

Motion by Joe Riggio/seconded Bill Witner to increase the public works pay rate to \$20/hour. Motion carried; no opposed.

Motion by Jim Long/seconded Jim Seeley to retain Peters Consulting as Borough Engineer. Motion carried; no opposed.

Motion by Ed Fenton/seconded Joe Riggio to retain Brior Environmental Services, Inc. as 2023 Sewage Enforcement Officer.

Jim Long reported he spoke with Greg Hawkins regarding the housing of any immigrant drop-offs. Emergency Management handles dispersion, if needed, and the Briar Creek Borough is an emergency evacuation center.

The proposed PennDOT project to microsurface Rt. 11 from Park Boulevard to Luzerne County line was reviewed. Council had no issues with the project and signed off on the project.

Council was made aware of an issue with the conference room video equipment picking up local wifi networks. Secretary will contract Koala Computer to see if anything can be done to restrict this.

No further business. Meeting was adjourned at 8:07PM.

Respectfully submitted:
Carol A Kieser, Secretary