

**BRIAR CREEK BOROUGH**  
**December 7, 2022**  
**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, and Bill Witner. Other officials present were Secretary Carol Kieser and Larry Frace. Absent: James Long, Solicitor, and Engineer.

Citizens present: John Trivelpiece and Holli Trivelpiece.

Guests: Shawn Brant, Tim Mills with New Leaf Energy and Chase and Samantha Milheim, Red Brick Church Road, Berwick, PA.

Meeting turned over to Tim Mills and Shawn Brant, representatives from New Leaf Energy. Chase and Samantha Milheim, owners of the property located on Red Church Road, where the solar project is planned, were introduced. Community solar project is in preliminary planning stages on the Milheim property, located in Briar Creek Borough and Briar Creek Township. Project would connect to the local distribution lines and supply electricity to regional PPL customers thru a solar ray subscriber plan. Development of the project will enable the Milheim's to expand their sheep flock underneath the solar panels to control vegetation. Zoning process will be coordinated thru Larry Frace, zoning officer for Briar Creek Borough and Briar Creek Township.

Minutes of the October 26 Work Session and November 2, 2022 Regular Council Meeting were approved as recorded.

No citizen's comments or complaints were received.

No Mayor's Report.

No Solicitor's Report.

No Engineer's Report.

Larry Frace submitted and discussed the December 2022 Zoning Report. Copy of report is filed in the Borough office.

- Zoning Permits: Two issued for Fences and one for the BerVaughn Pool Splash Pad.
- Update given on the Red Oak Mobile Home Park violations.
- Complaint received about light at 30 E. Rittenhouse Mill Road.
- December 1, 2022 Smith Pipe zoning hearing continued for a plot plan that was not completed.
- 51 Village Lane Group Home received 18 violations and 12 people living in the home. Property condemned.

Discussion held regarding the various break-ins and trespassing at the Bonanza building, located at 2090 W. Front Street. Motion by Jim Seeley/seconded Joe Riggio to authorize Borough Solicitor, Barry Lewis, to request all the incident reports from the Pennsylvania State Police involving that property. Motion passed; no opposed. Larry Frace to contact the owner with the information and pictures of the condition of the building.

The zoning office will be closed December 12 thru December 27, 2022.

Motion made by Dave Kershner/seconded Bill Witner to approve the Secretary/Treasurer's Report. Motion carried; no opposed.

#### Committee Reports

Law and Finance – Motion by Jim Seeley/seconded Joe Riggio to approve and sign the Borough Manager's two-year contract. Motion carried; no opposed.

Motion by Joe Riggio/seconded Ed Fenton to adopt the 2023 financial budget. Roll call taken; no opposed.

Motion by Jim Seeley/seconded Dave Kershner to accept the three-year proposal from Wagner, Dreese, Elsasser to perform the year-end financial audits for 2022, 2023, and 2024. Motion carried; no opposed.

Highways and Streets – Motion by Bill Witner/seconded Bruce Michael to accept the proposal from Peters Consulting to perform a Weight Limit Study on Welliver Road for a cost of \$2450. Motion carried; Jim Seeley opposed; no abstained.

Motion by Dave Kershner/seconded Ed Fenton to approve the public works hours for Jim Seeley. Motion carried; no opposed.

Building and Grounds – Motion by Dave Kershner/seconded Joe Riggio to accept the proposal from Marr Construction to replace and install two entrance doors. Motion carried; no opposed. Proposal signed. Work to begin in June 2023. Proposal for key cards to be presented at a later date.

BAJSA – Jim Seeley reported the Talen sewer line has been completed and two residential properties have been hooked up.

No update given for the BIDA Downtown Project.

#### Old or Unfinished Business

PennDOT Rt 11 Project – Email from Steve Kehoe and Adam Kinley, PennDOT, was reviewed. Council discussed PennDOT's response to the Borough's concern about the deteriorating condition of the stormwater inlets. PennDOT feels that the stormwater inlets are the Borough's responsibility. Council feels there is a written agreement with PennDOT regarding these inlets.

A project field review of the RT. 11 project for all municipalities involved will be held the beginning of 2023. Invitation to attend will be forthcoming.

Pavilion Project - Construction of the pavilion to be revisited by Council at a later date.

Review of Zoning Districts – No update given.

Berwick/Briar Creek Borough Recycling Program – Item will be listed on the next Berwick Council Meeting agenda.

Street Light – The flickering street light on West Front Street has been scheduled for repair by PPL the week of December 19<sup>th</sup>.

#### New Business

Motion by Jim Seeley/seconded Ed Fenton to enact Resolution #10 of 2022, Fixing 2023 Tax Rate and Appoint Columbia County as Briar Creek Borough Tax Collector. Motion carried; no opposed.

Motion by Jim Seeley/seconded Bill Witner to convene an executive session to discuss personnel matters. Motion carried; no opposed.

Executive Session was held from 8:07PM to 8:17PM. No action taken.

Motion by Jim Seeley/seconded Bill Witner to reconvene public meeting. Motion carried; no opposed.

Motion made by Ed Fenton/seconded Joe Riggio to approve and advertise the 2023 council meeting dates. Motion carried; no opposed.

Bruce Michael made a recommendation for Council to go and look at the light on E Rittenhouse Mill Road, which was the subject of a complaint received by Larry Frace.

No further business. Meeting was adjourned at 8:22PM.

Respectfully submitted:  
Carol A Kieser, Secretary