

BRIAR CREEK BOROUGH
December 6, 2023
REGULAR COUNCIL MEETING MINUTES

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

Roll call of members was taken. Present: Mayor Harold Kershner, Jr., W Bruce Michael, E James Seeley, Ed Fenton, Dave Kershner, Bill Witner, and Rodney Koch. Other Officials present were Solicitor Barry Lewis, Zoning Officer Larry Frace, and Secretary Carol Kieser. Absent: James Long, and Engineer.

Citizen present: David DeHaven, Holli Trivelpiece, John Trivelpiece, Tyrell Newcomer, and Keith and Christy Kehl-Hess.

Minutes of the October 25 Work Session, the November 1 Regular Council Meeting, and the November 8, 2023 Planning Commission Meeting were approved as recorded.

Citizen Comments and Complaints

No citizen comments or complaints were received.

Mayor Harold Kershner reported he swore-in the four incoming 2024 council members before the meeting.

Solicitor Barry Lewis had no comment regarding the letter from Attorney Malak, attorney for the Ruckle Hill Solar Farm, to Attorney Tanribilir, attorney representing the Briar Creek Zoning Hearing Board, due to the case being a conflict of interest for his firm and recommended an alternate attorney be chosen to defend the Borough in the appeal. Letter from Attorney Malak outlined a settlement proposal of the appeal filed in the Court of Common Pleas of Columbia County by Ruckle Hill Solar 1, LLC. Motion by Jim Seeley/seconded Rodney Koch to contact Attorney David Trathen to represent the Borough in the appeal. Roll call taken: Ed Fenton, yes; Rodney Koch, yes; Jim Seeley, yes; Bill Witner, yes; Dave Kershner, yes; and Bruce Michael, yes. Motion carried unanimous roll call vote.

No Engineer's report was given.

Larry Frace submitted a zoning report and discussed the zoning activity for November, 2023. A copy of the report is filed in the Borough Office.

Two demo permits were issued to Yousof Alam for Lot 10 and 22 at the Briar Creek Estates mobile home park. List of zoning violations at Harmon Trailer Court, Briar Creek Estates, and Red Oak mobile home parks were discussed.

PennDOT approved the HOP for the Vought Property. Planning Commission Meeting needs to be scheduled.

Taco Bell – Planning Commission Meeting was held November 8, 2023. Changes to the land development plans have been incorporated into the new plans. Columbia County has not responded with any comments on the development plans. Another Planning Commission Meeting needs to be scheduled to review the new plans.

An application for a zoning variance for the two signs at Taco Bell has been received and submitted to the Attorney Tanribilir to schedule a zoning hearing.

A solar company is proposing a 30–40 acre complex at the Croop Farm. Zoning information has been sent to them.

Smith Pipe and Welding has purchased the Baran Farm. A copy of zoning ordinance #184 of 2018, amending the zoning map from Rural Residential to a Limited Industrial District, has been given to him.

Secretary presented a list of bills for payment, bank account balances and registers. Motion by Ed Fenton/seconded Dave Kershner to approve the Secretary/Treasurer's Report. Motion carried; no opposed.

The 2024 Budget has been advertised and no comments were received from the public. Motion by Ed Fenton/seconded Bill Witner to adopt the 2024 budget. Motion carried, no opposed.

New First Keystone Community Bank signature cards for the CD #0003 was presented. Motion by Ed Fenton/seconded Jim Seeley to sign the cards. Motion carried, no opposed.

Committee Reports

Law & Finance – No update to the LST employer list was given.

Highway and Streets – PA OneCall has been contacted for E Rittenhouse Mill Road to relocate Borough signs.

Buildings and Grounds – Accident which knocked down two protective pylons at the Borough monument was discussed. Video from the Borough security camera was shown. Quote in the amount of \$675 to repair the damage from Mike Winder was discussed. Damage will be reported to Borough insurance company.

Still waiting on a quote from American Technology to install an additional security camera.

Quote from American Technology for a microphone system has been requested.

Old or Unfinished Business – No update was given on the Zoning Ordinance Text Changes. Mayor Harold Kershner and Ed Fenton will assist Bruce Michael in completing these changes.

New Business – The Borough's website is currently down. Secretary will contact FatCow, website provider, for assistance.

No further business. Motion by Ed Fenton/seconded Dave Kershner to adjourn. Motion carried. Meeting was adjourned at 8:09PM.

Respectfully submitted:

Carol A Kieser, Secretary
Briar Creek Borough