

**BRIAR CREEK BOROUGH**  
**January 31, 2024**  
**WORK SESSION MINUTES**

President W. Bruce Michael called the work session to order at 7PM.

Present: W. Bruce Michael, James Seeley, James Long, Ed Fenton, Rodney Koch, and Bill Witner. Other officials present: Solicitor Barry Lewis, Zoning Officer Larry Frace and Abegail Kurecian, BASP Representative Tammy Trivelpiece, and Borough Manager Carol Kieser. Absent: Mayor Harold Kershner Jr., David Kershner, and Engineer.

Citizen Present: Denise Wetzel, Holli Trivelpiece, John Trivelpiece, and Keith Hess.

Tammy Trivelpiece reported on the Berwick Area Swimming Pool. Financial report was given. Pool Board is discussing how to set aside funds for future use. Issue of future DCNR grants for the pool was discussed and a meeting will be held with the Berwick Borough. Copy of the report is filed in the borough office.

No citizen's complaints or comments were received.

Included in the packets for council were minutes of the 12/27/2023 Work Session, 01/02 Re-organizational and Regular Council Meeting, 01/15 Special Council Meeting, 01/17/2024 Planning Commission Meeting, and the list of bills for review.

Resolution #3 of 2024, Disposal of Records, was presented. Motion by Jim Seeley/seconded Jim Long to adopt the resolution. Motion carried; no opposed.

Jim Seeley reported on the 12/13/2023 Berwick Area Joint Sewer Authority Meeting. Stormwater project was discussed. Copy of the BAJSA report is filed in the borough office.

No Solicitor Report was given.

Old or Unfinished Business

No update was given on the Zoning Ordinance Text Changes.

Jim Long reported he has reviewed the Berkheimer LST list of Briar Creek Borough businesses and questioned why the borough is not receiving LST from several of the businesses in the borough. These businesses are being researched by Berkheimer to update the list.

New Business

Ruckle Hill Solar 1 Project – Executive Session will be held at the end of the work session to discuss legal matters regarding litigation.

An estimate from NEPA Securities and Technologies was presented by Ed Fenton for a speaker/microphone system for the conference room. Motion by Ed Fenton/seconded Jim Long to accept the estimate in the amount of \$1130.93. Motion carried; no opposed.

Two estimates from American Technology Systems were presented. (1) Install two cameras capable of recording license plate information and give a credit for the one camera, which was installed at the building entrance, for \$979.50; and (2) install two cameras capable of recording license plate information, taking the building entrance camera and reinstall it to replace an outdated existing camera on the building, for \$1213.50. Council members were polled for their opinion. All were in favor of the purchase and a discussion followed regarding the protection of the citizens and the borough assets. Motion by Bill Witner/seconded Ed Fenton to accept estimate #2 in the amount of \$1213.50. Motion carried; no opposed.

Discussion was held regarding the disclosure of information from these License Plate Recognition cameras. Motion by Ed Fenton/seconded Rodney Koch to authorize Attorney Barry Lewis to draft a policy. Motion carried; no opposed.

Resolution #2 of 2024, Repealing Resolution 1 of 2010, and Creating Rules and Procedures for Public Meetings, and Establishing a Code of Ethical Behavior for Officials of the Borough of Briar Creek, was presented. Motion Jim Long/seconded Jim Seeley to table until the February 7, 2024 regular council meeting. Motion carried; no opposed.

Jim Seeley suggested a shredding event be held for the Briar Creek Borough residents. A poll of council was taken and all were in agreement. Discussion was held to advertise the event on the website and Facebook. Secretary will get information from shredding companies and present at a later meeting.

A Zoning Hearing is scheduled for Thursday, February 1, 2024, at 6PM, for the Haza Bell signs.

A Planning Committee Meeting is scheduled for Wednesday, February 21, 2024, at 6PM, to review the final Haza Bell Development Plans.

Larry Frace submitted a draft of zoning fees for council's review. The Borough is not receiving fees from many applications, licenses, or professional fees. Motion by Ed Fenton/Bill Witner to postpone until the February 28, 2024 work session. Motion carried; no opposed.

#### Action Item

Discussion was held to authorize Attorney Tanribilir to continue to defend the Zoning Hearing Board Decision in the Smith Pipe Appeal. Motion by Rodney Koch/seconded Jim Long to continue to pay Attorney Tanribilir to defend the Zoning Hearing Board's decision in the Smith Pipe Appeal. Roll call: Jim Long, yes; Ed Fenton, yes; Rodney Koch, yes; Jim Seeley, yes; Bill Witner, yes; and Bruce Michael, yes. Motion carried on unanimous roll call vote.

Denise Wetzel, property owner of 7539 Columbia Boulevard, discussed her plan to construct a drywell on her property to correct a water problem in the basement. An estimate from Jerry A Conner Construction was submitted for review. Larry Frace stated no permit is required. Motion by Jim Long/seconded to allow Denise Wetzel to proceed with a water collection and drainage system on her property. Motion carried; no opposed.

Motion by Ed Fenton/seconded Rodney Koch to amend the agenda to include Denise Wetzel's request to install a drywell to correct a water problem on her property. Motion carried. Item will be placed on the 02/07/2024 regular meeting agenda to ratify the motion.

A discussion was held regarding the potential use of the funds, held in a CD, from the sale of the fire hall property. Attorney Barry Lewis will review the agreement and report at the next meeting.

#### Correspondence

Thank you was received from the Columbia County Volunteers in Medicine Clinic for the donation of \$150.

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At 8:58PM, motion was made by Jim Long/seconded Rodney Koch to hold an executive session to discuss matters of litigation. Motion carried; no opposed.

At 9:21PM, a motion was made by Jim Long/seconded Jim Seeley to close the executive session and bring the regular meeting back into session. Motion carried; no opposed.

Motion was made by Rodney Koch/seconded Ed Fenton to adjourn. Motion carried; no opposed. No further business was conducted. Meeting was adjourned at 9:24PM.

Respectfully submitted:

Carol A Kieser  
Secretary  
Briar Creek Borough