

**BRIAR CREEK BOROUGH**  
**February 28, 2024**  
**WORK SESSION MINUTES**

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

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

Citizen Present: Holli Trivelpiece, and Keith and Christy Kehl-Hess.

Tammy Trivelpiece reported on the February 8, 2024 Berwick Area Swimming Pool meeting. Financial report was given. Election of officers were reported. The 2023 tax year will qualify for Employee Retention Tax Relief funds; and, the pool's accountant, Mike Daddio, feels the pool should receive approximately \$34,500. 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 01/31 Work Session, 02/07 Council Meeting, and 2/21/2024 Planning Commission, and the list of bills for review.

Secretary reported Council has been registered for the LTAP virtual classes.

Jim Seeley reported on the 01/10/2024 Berwick Area Joint Sewer Authority meeting. Stormwater project is ongoing. Copy of the BAJSA report is filed in the borough office.

Solicitor's Report – Attorney Barry Lewis reported on the Developer's Agreement for Haza Bell. He is awaiting information from Petitt Group on the value of the development for the surety bond and to draft the developer's agreement.

Attorney Lewis reported on the funds from the sale of the Briar Creek Fire Company property, which are currently deposited into a CD held at the First Keystone Community Bank. The fire company donated the lot to the Borough in 1991. Agreement states funds may only be used for a "publicly beneficial purpose" for the Briar Creek Borough. Discussion was held by Council to make a partial withdrawal of \$5000 and make the yearly donation to the Berwick Area Swimming Pool. No action taken.

Secretary to contact FKCB to find out the penalty for partial withdrawal from the Fire Company CD and report at the 03/06/2024 Council Meeting.

Discussion was held by Council to make a donation to the W. Berwick Fire Company. Attorney Lewis reported a donation to the fire company would be an allowable use of the fire company funds since Briar Creek Borough is protected by the Berwick fire companies. Jim Seeley reported contact was made with Damien Scoblink Berwick Borough Manager. He suggested a donation be made to Berwick Borough with a notation on how it should be distributed to the three main fire companies in Berwick. This item should be placed on the 03/06/2024 agenda for further discussion.

#### Old or Unfinished Business

No update was given on the Zoning Ordinance Text Changes.

Jim Long reported Berkheimer has sent letters to several businesses which are not paying LST to the borough. Discussion was held by Council to find out who has enforcement authority over those businesses when no LST is received.

No update was given on the shredding event.

#### New Business

Council held a discussion regarding the routing of the stormwater for the purposed Taco Bell Building. Council questioned if the stormwater line, which is currently being routed into the manhole on Welliver Road, will be capped. All stormwater should be piped into an existing drywell on the Taco Bell property. Melanie Bove, Peters Consulting, reported the existing drywell will need to be cleaned and tested to determine if it is sufficient to handle the runoff from the development. Peters Consulting requires a stormwater maintenance agreement. Motion by Jim Long/seconded Ed Fenton to table approval of the Haza Bell Land Development until these items are addressed. Motion carried; no opposed.

A request for a donation was made by the Berwick Area United Way for the May 3, 2024 community clean up event. Motion by Dave Kershner/seconded Jim Seeley to donate a \$100 to the Day of Caring event. Motion carried; no opposed.

No update was given for the E. Rittenhouse Mill Road Widening Project.

Secretary submitted a draft zoning and planning fee schedule. The SALDO and resolutions were reviewed and referenced on the fee schedule. Fee schedule has been emailed to Larry Frace for revision and will be reported on at the March 6, 2024 council meeting.

Council reviewed the proposal from NEPA Securities & Technologies to design a website for the Borough since so many problems have occurred with the FatCow platform. No action was taken.

A motion by Ed Fenton/seconded Dave Kershner was made to ratify the 1/31/2024 work session decision to approve the drainage system to correct the water problem on Denise Wetzel's property. Motion carried; no opposed.

#### Correspondence

PennDOT information was presented regarding a County Maintenance Municipal Outreach Program to be held on April 23, 2024, at the Danville State Hospital Grounds Building.

Information from Hailstone Economic Team was presented regarding the Columbia County Placemaking Initiative Plan. PennDOT is willing attend a meeting with business organizations and municipal officials to discuss the state road regulations affecting the communities. Borough council would be available for a May 22, 2024 meeting and requested the Secretary to contact Hailstone and offer the borough hall for that meeting.

#### New Business

Jim Long reported a washout has occurred in several areas at detention basin #1 on Village Lane. Ed Fenton displayed several pictures of the area. Mike Winder was contacted to make repairs. This item will be included on the March 6, 2024 council meeting agenda.

Jim Seeley discussed the proposal from NEPA Securities & Technologies for a door lock security system. Item will be included on the March 6, 2024 council meeting agenda.

The executive session to discuss litigation matters was not necessary and was canceled.

Page Four of Four  
Work Session Minutes  
February 28, 2024

Motion was made by Dave Kershner/seconded Ed Fenton to adjourn. Motion carried; no opposed. No further business was conducted. Meeting was adjourned at 8:35PM.

Respectfully submitted:

Carol A Kieser  
Secretary  
Briar Creek Borough