

**BRIAR CREEK BOROUGH**  
**April 3, 2024**  
**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, James Long, Ed Fenton, Dave Kershner, and Rodney Koch. Other Officials present were Solicitor Barry Lewis, Zoning Officer Larry Frace and Abigail Kurecian, and Borough Manager Carol Kieser. Absent: Bill Witner and Engineer.

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

Minutes of the 02/28 work session and 03/06/2024 regular council meeting were approved as recorded.

Citizen Comments and Complaints

No citizen comments or complaints were received.

No Mayor's report was given.

Attorney Lewis reported he received a call from a resident of Briar Creek Borough. He stated his office policy of not discussing Borough business unless directed by Council to do so. Council was in agreement.

Larry Frace submitted the March 2024 zoning report and discussed the zoning activity. A copy of the report is filed in the Borough Office.

- Complaint from John Trivelpiece was received about burning cardboard/brush at the Smith Pipe location. Also, a picture of an oversized load on E Rittenhouse Mill Road was discussed.
- Vought Land Development –Columbia County did not approve the development plan and plan must be revised and resubmitted.

- Meeting was held at the Borough Office with John Fisher, Land Project Manager, to search for zoning, road dedication, and permit information to build six houses in Phase I of Suncrest Village. Attorney Lewis noted a zoning hearing will need to be held for variances to the setbacks in order to build houses since the lots are sloped. Developer is also interested in developing Phase II.
- Taco Bell – The drywell cleaning and testing, remaining item before approval of the development, is scheduled to be performed by Marsico Septic. A variance for the signs were approved by the Zoning Hearing Board.
- An update to Briar Creek Estates and Red Oak Mobile Home Parks was given.

Secretary Report – List of bills, account balances and registers were presented. Motion by Ed Fenton/seconded Jim Long to approve report. Motion carried; no opposed.

#### Committee Reports

Law & Finance – No report given.

Highway and Streets – No report given.

Buildings and Grounds – Jim Seeley suggested the borough building be power washed. Quotes will be gotten and presented during a later meeting.

#### Old and Unfinished Business

An email from Robert A Delia, Project Manager for Haza Bell requested approval of the Taco Bell Land Development so they can move forward with demolition of the former Bonanza building. Motion by Ed Fenton/seconded Jim Long to allow the project to move forward with the following contingencies: signed developer's agreement, security bond, and the drywell testing and stormwater plan as approved by Peters Consultants. Motion carried; no opposed. Larry Frace commented that a demolition permit is required and no building permit can be issued until all the conditions are met.

A recap of the past safety concerns, petitions, and suggestions which were presented to Council regarding the E Rittenhouse Mill Road was given. Motion by Jim Seeley/seconded Dave Kershner to move ahead with widening the road by two feet on each side. Roll call was taken: Jim Long, yes; Ed Fenton, yes; Rodney Koch, yes; Jim Seeley, yes; Dave Kershner, yes; Bruce Michael, yes. Motion carried on unanimous roll call vote.

The proposals from three companies for the E Rittenhouse Mill Road Widening Project were compared for compliance with the bidding specs. Motion by Jim Long/seconded Ed Fenton to award the project to the lowest bidder, Rock Bottom Dirt Worx, in the amount of \$19,980. Roll call taken: Dave Kershner, yes; Jim Long, yes; Ed Fenton, yes; Jim Seeley, yes; Bruce Michael, yes. Motion carried on unanimous roll call vote.

Secretary is continuing to work on the Fee Schedules for Zoning.

LST Employer Listing – Secretary to contact Berkheimer for an updated LST employer listing.

A spreadsheet with companies that provide paper shredding services was presented to Council. Secretary will work with Building and Grounds to sort thru old file storage boxes for shredding.

No update was given on the Zoning Ordinance Text Changes.

#### New Business

Floodplain Ordinance was advertised for the April 24, 2024 work session.

No further business. Motion by Ed Fenton/seconded *Jim Long* to adjourn. Motion carried. Meeting was adjourned at 8:04PM.

Respectfully submitted:

Carol A Kieser, Secretary  
Briar Creek Borough