

BRIAR CREEK BOROUGH
July 2, 2025
REGULAR COUNCIL MEETING MINUTES

President of Council 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, W Bruce Michael, E James Seeley, David Kershner, Rodney Koch, and Bill Witner. Other officials present: Solicitor Barry Lewis, Zoning Officer Larry Frace, and Secretary Carol Kieser. Absent: James Long, Ed Fenton, and Engineer.

Citizen present: Dave De Haven, John Trivelpiece, Holli Trivelpiece, Keith Hess and George Fantry.

No Citizen Comments or Complaints were received.

Minutes of the 05/28 work session and 06/04/2025 regular council meeting were approved as recorded.

President of Council – W Bruce Michael

W Bruce Michael reported on a right-to-know request for an attachment that was not published with the agenda. Bruce Michael read an insert from a PSAB email: “Agenda items should be as specific as possible and do not need to include attachments to the agenda”. Attorney Lewis commented that the Sunshine Act only provides for an agenda consisting of a list of items to be brought before council for deliberation. The discussion turned into a debate between the Solicitor and Keith Hess in regards to the Sunshine Act.

Bruce Michael reported CSS Industries is closing in August leading to a loss of approximately \$5100 to the Borough in Real Estate and LST receipts. The 2026 budget will reflect this loss.

Mayor’s Report - Mayor Harold Kershner

No report was given.

Engineer’s Report – Peters Consultants

No report was given.

Solicitor’s Report – Attorney Barry Lewis

Ruckle Hill Solar Farm Documents – Ruckle Hill representatives are currently working on the necessary documents and signatures.

Vought Collection Efforts – No report given.

BerVaughn Park Road – Solicitor researched the deeds of the May property and Briar Creek Plaza property. GIS shows cartway leading from Rt 11 as being 15' wide and being located on the May and Briar Creek Plaza property. It cannot be determined if Berwick Borough has title to the alley referenced in the May deed, without additional title work. Solicitor recommends the Borough contact Bewick Borough and have a survey done in the area of the existing cartway.

Security Camera Policy and Procedures – No action taken.

Letter to Berks Homes (Suncrest Village) – Letter to be mailed regarding the lots affected by the deed restrictions to prepare and record corrective deeds which will add the required deed restriction language.

Zoning Officer's Report – Larry Frace

Larry Frace submitted the July 2025 zoning report including a list of zoning and construction permits and floodplain violations. Letter to be mailed to 30 E Rittenhouse Road in response to noise complaints. A copy of the report is filed in the Borough Office.

Secretary/Treasurer's Report

Invoices were presented for payment. Motion by Jim Seeley/seconded Rodney Koch to approve invoices for payment. Motion carried; no opposed.

Committee Reports

Law and Finance – CD#9323 has renewed at 4.5% for 6 months.

Highways and Streets – Discussion held concerning the CoStar 2025-2026 winter season contract for 60 tons of salt and to change the bid specs for contractor to load and store the salt and cinders supplied by the Borough and readvertise. Motion by Jim Seeley/seconded Bill Witner to reject all bids received for the Winter Maintenance Contract and readvertise the contract. Motion carried; no opposed.

Old or Unfinished Business – No discussion was held.

New Business – No new business was discussed.

Motion by Rodney Koch/seconded Bill Witner to adjourn. No further business and meeting was adjourned at 7:54PM.

Respectfully submitted:

Carol A Kieser, Secretary
Briar Creek Borough