

BRIAR CREEK BOROUGH
August 6, 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, James Long, Ed Fenton, David Kershner, Rodney Koch, and Bill Witner. Other officials present: Solicitor Barry Lewis, Zoning Officers Larry Frace and Abigail Smith, and Secretary Carol Kieser. Absent: Engineer.

Citizen present: Dave DeHaven, John Trivelpiece, Holli Trivelpiece, Keith Hess, and Gordon Bilby.

Citizen Comments or Complaints

Rodney Koch reported the Briar Creek Estates MHP has several violations; i.e., high grass and sumac growing, garbage, and potholes in the roadway. A discussion was held in regards to the violations being filed at the magistrate office.

Larry Frace reported Abigail Smith has been certified as a zoning officer and has been assigned to the trailer parks. Abigail Smith will work with Attorney Barry Lewis to file the violations at the magistrate's office.

Minutes of the 06/25 work session and 07/02/2025 regular council meeting were approved as recorded.

Mayor's Report - Mayor Harold Kershner

No report was given.

Engineer's Report – Peters Consultants

An agreement from Peters Consultants to survey 30 First Avenue, Berwick, for boundary retracement was presented to Council. A letter from Tom Frace, Briar Creek Township Manager, was read. The Township does not believe the survey to clarify municipal boundary lines is necessary and encourages the Borough to explore solutions that address the causes of the stormwater concerns. Council asked the Buildings and Grounds Committee to reach out to Steve Kehoe, PennDOT Municipal Services Specialist, for advice. No action was taken on the boundary retracement agreement.

Solicitor's Report – Attorney Barry Lewis

Ruckle Hill Solar Farm Documents – The decommissioning agreement has been approved by the Briar Creek Township and Briar Creek Borough Engineer. The approved decommissioning bond amount will be split with 35% allocated to the Township and 65% to the Borough.

BerVaughn Park Road – No report was given.

Letter to Berks Homes (Suncrest Village) – Email from Berks Homes in regards to the Borough's request for corrective deeds be recorded to include restrictive language for those lots which are already sold (Lots 4, 5, and 6 of the Suncrest Village Development). Council is concerned that present owners and future owners will not be notified of their responsibilities to properly maintain the stormwater swale located on these lots. Motion by Jim Long/seconded Ed Fenton to authorize Attorney Lewis to insist that corrective deeds be filed to alleviate any issues in the future. Motion carried; no opposed.

Security Camera Policy and Procedures – No action taken.

Zoning Officer's Report – Larry Frace

Larry Frace submitted the July 2025 zoning report including a list of zoning and construction permits and complaints. A copy of the report is filed in the Borough Office.

The Zoning Officer is aware of the condition of the roadway into and thru the Briar Creek Estates MHP and stated this roadway is a private road and the Borough has no jurisdiction over its condition.

A discussion was held to amend the Zoning Ordinance to permit the use of a data center. Council feels a data center falls in the Light Industrial Zone under warehousing. No action taken.

Secretary/Treasurer's Report

Invoices were presented for payment. Motion by Ed Fenton/seconded Dave Kershne to approve the secretary's report. Motion carried; no opposed.

Motion by Ed Fenton/seconded Rodney Koch to authorize the Secretary and Jim Seeley to roll over CD#3467, which matures on 08/27/2025, at the First Keystone Community Bank. Motion carried; no opposed.

Committee Reports

Law and Finance – No report.

Highways and Streets – The following bids were received for the Two- Year Winter Maintenance Contract.

	SEASON 2025- 2026			SEASON 2026- 2027		
NAME	1W PER HOUR SNOWPLOWING	2W PER TON LOADING/STORAGE OF CINDERS	3W PER TON LOADING/STORAGE SALT	1W PER HOUR SNOWPLOWING	2W PER TON LOADING/STORAGE OF CINDERS	3W PER TON LOADING/STORAGE SALT
B-LINE SERVICES	\$ 170.00	\$ 20.00	\$ 20.00	\$ 175.00	\$ 20.00	\$ 20.00
DON E BOWER INC	\$ 136.50	\$ 22.75	\$ 22.75	\$ 140.60	\$ 24.00	\$ 24.00
MIKE WINDER	\$ 190.00	\$ 45.00	\$ 50.00	\$ 210.00	\$ 50.00	\$ 55.00

Motion by Dave Kershner/seconded Rodney Koch to award the two-year Winter Maintenance Contract to Don E Bower Inc. Motion carried; no opposed.

Old or Unfinished Business – No discussion was held.

New Business –

Motion by Jim Seeley/seconded Jim Long to amend the agenda. Motion carried; no opposed.

Resolution #7 of 2025 was presented to Council to approve the application of the Township of Centre to join BAJSA. Motion by Dave Kershner/seconded Bill Witner to adopt the resolution. Motion carried; no opposed.

Motion by Ed Fenton/seconded Bill Witner to adjourn. No further business and meeting was adjourned at 8:26PM.

Respectfully submitted:

Carol A Kieser, Secretary
Briar Creek Borough