

BRIAR CREEK TOWNSHIP SUPERVISORS

Supervisors Meeting

December 5, 2022 @ 7PM

Briar Creek Township Municipal Building, 150 Municipal Rd., Berwick, PA 18603, Columbia County, PA

The Briar Creek Township Supervisors Meeting was held at the Township Municipal Building on December 5, 2022 beginning at 7:00 PM at the Township Municipal Building. Present were the following: Supervisors M. Sitler, C. Hess, C. Fisher, T. Prutzman, G. Naus, Secretary/Treasurer M. DeStefano, Police Chief T. Frace, Road Master T. Albertson, and Zoning & Codes Official, L. Frace. Residents K. Parker, C. & M. Ramage, E. & L. Fowler, and T. Bonilla were also present.

AGENDA & MEETING MINUTES

- M. Sitler called the meeting to order at 7:00 PM.
- Pledge of Allegiance was completed by all present.
- Announcement of Executive Sessions
 - M. Sitler announced that the Supervisors had an Executive Session at the end of the 14NOV2022 Work Session to discuss the PD Chief Contract. It was entered into at 9:48 PM. A motion to leave the Executive Session and re-enter the Work Session at 9:52 PM was made by T. Prutzman and seconded by G. Naus. Motion passed 3-0. A motion to re-enter the Work Session (continuance) at 9:54 PM was made by T. Prutzman and seconded by G. Naus. Motion passed 3-0.
 - M. Sitler announced that the Supervisors had an Executive Session before this meeting 05DEC2022 to discuss employees. It was entered into at 6:00 PM and a motion to adjourn the Executive Session to enter the regular meeting at 7:00 PM was made by C. Hess and seconded by C. Fisher. Motion passed 5-0.
- M. Sitler commented on former BCT Supervisor R. Bogart's passing and acknowledged and expressed appreciation on behalf of the township for her 25+ years of service to the community.
- Public Participation
 - K. Parker inquired about any known information about a fault line through the area; she has sink hole on her property. The BoS acknowledged that no information about a fault line has come through the township office. M. Sitler commented that a spring used to run through a portion of the area. T. Prutzman suggested she research information for her property at the website for ArcGIS to understand the topography and geologic formations to see if that may be a contributing factor.
 - C. & M. Ramage, E. & L. Fowler, and T. Bonilla raised concerns about water runoff from the housing project going in at the end of 7th Ave. They stated there already exists a drainage problem in this area and fear it will be made worse. C. Hess also noted that he reported seeing ground being cleared to Zoning Official L. Frace. L. Frace confirmed details about the lots for which houses are planned to be built, and indicated that the Developer, W. Morey, has so far obtained the necessary permits. He is also meeting all the required setbacks. L. Frace and the BoS stated that Mr. Morey will need to continue to following zoning, storm sewer, and environmental regulations. This includes obtaining elevation certificates from FEMA to build homes on lots that are in the floodplain. Driveway permits will need to also be obtained for each house.
- Pass the minutes from the following meetings:
 - October 10, 2022 Work Session – A motion to approve these minutes was made by C. Hess and seconded by G. Naus; motion passed 5-0.
 - November 7, 2022 Supervisors Meeting – A motion to approve these minutes was made by C. Hess and seconded by G. Naus; motion passed 5-0.
 - November 14, 2022 Work Session – A motion to approve these minutes was made by C. Fisher and seconded by C. Hess; motion passed 5-0.

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- Motions

- Motion to adopt Ordinance #3 of 2022: *AN ORDINANCE AMENDING BRIAR CREEK TOWNSHIP'S LOCAL LIMITS FOR GIVEN POLLUTANTS BY ESTABLISHING A NEW SCHEDULE OF LOCAL MAXIMUM ALLOWABLE INDUSTRIAL LOAD LIMITS FOR GIVEN POLLUTANTS*
 - A motion to adopt Ordinance #3 of 2022 as note above was made by C. Hess and seconded by G. Naus; motion passed 5-0.
- Motion to amend the Employee Handbook for Non-Uniformed Employees to include the following via Resolution #12 of 2022: *AMENDMENT TO THE BRIAR CREEK TOWNSHIP EMPLOYEE HANDBOOK FOR NON-UNIFORMED EMPLOYEES ADOPTED MARCH 5, 2015:*
 - Laborer-Mechanic Job Description – change *Full-time* to *Full-time and Part-time*.
 - Revise the Employment Application for minor administrative edits to allow for digital transmission.
 - Add Vision Benefits and add employee contributions to medical and vision benefits, if employee opts to enroll in one or both plans. Proposed text for BoS review and decision:
 - §7.1 MEDICAL & VISION INSURANCE PLANS

The Township currently offers regular full-time employees, who are no longer on probation, health insurance and vision coverage. The type of plan(s) and coverage shall be within the sole discretion of the Township Supervisors, is unilaterally selected by Township Supervisors, and may be changed from time to time within the sole discretion of Township Supervisors. Full-time employees who opt to enroll in health and/or vision benefits shall be responsible to contribute 10% of the specified annual premium(s) for each selection. The employees shall contribute through automatic payroll deductions. The Secretary will assist employees in making the necessary arrangements for enrollment. A complete description of the plan is provided to each employee prior to the employee's enrollment, or upon request.
 - Include revised IS Policies (updated policies approved at 8/8/2022 meeting)
 - Any other changes as per BoS discretion – None at this time.
 - A motion to amend the Briar Creek Township Employee Handbook for Non-Uniformed Employees for changes noted above was made by C. Hess and seconded by C. Fisher; motion passed 5-0.
- Motion to re-appoint Columbia County Tax Assessment Office as the Acting Tax Collector for Briar Creek Township via Resolution # 13 of 2022: *A RESOLUTION APPOINTING AN ACTING TAX COLLECTOR FOR BRIAR CREEK TOWNSHIP TO SERVE THE VACANCY IN THE OFFICE OF THE TOWNSHIP'S ELECTED TAX COLLECTOR*
 - A motion to re-appoint Columbia County Tax Assessment Office as the Acting Tax Collector for Briar Creek Township via Resolution # 13 of 2022 as note above was made by C. Hess and seconded by T. Prutzman; motion passed 5-0.
- Motion to waive required member contributions to the Police Pension Plan via Resolution #14 of 2022: *A RESOLUTION SETTING THE EMPLOYEE CONTRIBUTION RATE FOR THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM FOR POLICE*
 - A motion to waive required member contributions to the Police Pension Plan via Resolution #14 of 2022 as note above was made by C. Hess and seconded by T. Prutzman; motion passed 5-0.

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- Motion any decisions for Maintenance Dept. positions/staffing
 - BoS requested Road Master T. Albertson and Laborer-Mechanic S. Rauch review the applicants for the FT Laborer-Mechanic position to suggest which candidates the BoS should consider interviewing given their prior and current experience respectively in the position.
- Review and motion to accept and advertise 2023 Meeting Schedule
 - BoS discussed the meetings for 2023 and agreed on dates and times. It was noted that it may not be necessary to have Work Sessions, but the decision was made to retain these for now; the BoS has the ability to cancel them if not needed.
 - A motion to advertise the 2023 Meeting Schedule for Supervisors Meetings, Work Sessions, and Planning Commission Meetings was made by C. Hess and seconded by T. Prutzman; motion passed 5-0.
- Motion to advertise 2023 Auditors Meeting to be held on 04JAN2023 at 5:00 PM.
 - A motion to advertise the 2023 Auditors Meeting as noted above was made by M. Sitler and seconded by C. Fisher; motion passed 5-0.
- Motion to approve AD&D policy renewal and payment (\$1000) - Hartmann & Lally Insurers, Inc.
 - A motion to approve AD&D policy renewal and payment as noted above was made by C. Fisher and seconded by C. Fisher; motion passed 5-0.
- Motion to make the following donations:
 - \$2000 to Berwick Library
 - \$1000 to Meals on Wheels
 - A motion to make the above-noted contributions was made by C. Hess and seconded by G. Naus. Motion passed 5-0.
- Maintenance Report – T. Albertson presented his report for November. He noted the salt ordered was delivered. A motion to accept this report was made by C. Hess and seconded by G. Naus. Motion passed 5-0.
- Police Report – T. Frace presented his report for November. He noted that the quarterly BCT/NCT PD Meeting is scheduled for Wed., 07DEC2022 at 3:15PM at the BCT Office and the BoS are welcome to attend. A motion to accept this report was made by C. Fisher and seconded by C. Hess. Motion passed 5-0.
- Sewer Authority Report – The Sewer Authority Report for November submitted by M. Fisher was reviewed. A motion to accept the report was made by T. Prutzman and seconded by C. Hess. Motion passed 5-0.
- Sewer Enforcement Report – The Sewer Enforcement Report for November submitted by B. Brior was reviewed. A motion to accept the report was made by C. Hess and seconded by C. Fisher. Motion passed 5-0.
- Zoning & Codes Report – L. Frace presented his report for November. He provided an update following a hearing for the blight property at 381 Summerhill Rd. He also provided an update on the solar project on Ruckle Hill Rd. which is in both Briar Creek Township and Borough; each township is expected to have this processed via its ordinance for solar energy development for each respective section. A motion to accept this report was made by C. Hess and seconded by G. Naus. Motion passed 5-0.
 - 1154 6th Avenue Permit Application and Follow-up Status – There has been no further response from Mr. Patel to L. Frace on the permit denial and required actions. This is now being progressed via the legal process.
 - Reminder: Public Hearing for Solar - Zoning Ordinance Amendment to be held Monday, 12DEC2022 ay 6:00PM
- Planning Commission – The Planning Commission Report for November submitted by R. Samsel was reviewed. A motion to accept the report was made by C. Hess and seconded by C. Fisher. Motion passed 5-0.

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- Fire Company Report – The Fire Company Report for November submitted by C. Fisher was reviewed. A motion to accept the report was made by C. Hess and seconded by T. Prutzman. Motion passed 5-0.
 - SVFC Chief C. Fisher thanked the PD and Public Works staff who assisted with recent incidents.
- Present Bills for Payment: Checks #24270 to 24301/Electronic Payments 08NOV2022 through 05DEC2022 – A motion to pay the bills was made by C. Hess and seconded by C. Fisher. Motion passed 5-0.
- Budgets (2022): General Fund, State/Liquid Fuels Fund, ARP Fund – The budget status for each account was reviewed.
- Correspondence – The Board reviewed the list of correspondence received to date through 05DEC2022.
 - M. DeStefano noted there were 2 documents for signature: the grant extension from CCCD for the Yost Hollow Rd. Culvert Project and the 2022 Fiscal Year Audit service agreement with Wagner Dreese, Elsasser & Associates, P.C. She also shared that the 2022 real estate property tax closeout with the Columbia County Tax Office must be scheduled for the 2nd week in JAN2023.
- Ongoing Business
 - Yost Hollow Road Culvert Project – Update on status of re-design: CCCD/CDGRS reviewed the redesign provided by McTish-Kunkel & Associates, which was completed to meet the CCCD requirements to maintain the grant. Their comments are now with the Engineer for review and incorporation into the redesign.
 - Intergovernmental Cooperation Agreement for Implementing the Multimunicipal Comprehensive Plan – Update following meeting with NCT BoS
 - T. Prutzman and M. Sitler stated that there was only one minor change necessary for the drafted Hailstone provided agreement document. They also noted that the BCT & NCT BoS agreed to meet quarterly on the following suggested 2023 dates: 20FEB, 15MAY, 21AUG, 20NOV (3rd Monday of month), which will be motioned at the JAN2023 reorganization meeting. One ad is planned to be issued for all 4 meetings.
- New Business – None
- For the good of the order
 - M. Sitler shared his view that BCT employees who worked through COVID-19 pandemic should be given a bonus via APR funds. Other municipalities have done similar. All agreed this was warranted and would be appreciated by those who worked through the pandemic.
 - In follow-up to Solicitor R. Davidson’s recommendation made at the 07NOV2022 meeting that the ZO definitions be reviewed and revised to ensure compliance with ADA regulations, the BoS are aware that the ADA regulations take precedence over any municipality’s ZO. BoS indicated that these will be updated in the next version of the ZO, which is planned to be completed sometime in the future (e.g., at the time of codification or via a joint zoning ordinance with a neighboring municipality).
- Adjournment – A motion to adjourn the Supervisors Meeting at 8:32 PM was made by C. Hess and seconded by C. Fisher. Motion passed 5-0.

Respectfully,
Michelle DeStefano
Secretary/Treasurer