

BRIAR CREEK TOWNSHIP SUPERVISORS

Supervisors Meeting

November 6, 2023 at 7:00PM

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

The Meeting of the Supervisors of Briar Creek Township, Columbia County, PA was held at the Township Municipal Building on November 6, 2023 at 7:00 PM. Present were the following: Supervisors C. Fisher, G. Naus, J. Gallagher, M. Sitler, T. Prutzman, Attorney D. Trathen, Road Master S. Rauch, Police Chief T. Frace, Secretary/Treasurer M. DeStefano, Zoning/Codes Official L. Frace, Residents J. Kulesza, D. Sarge and J. Snyder.

AGENDA & MEETING MINUTES

- Call Meeting to Order - Chairman C. Fisher called the meeting to order at 7:00 PM.
- Pledge of Allegiance was completed by all present.
- Public Participation
 - C. Hess – PA One Call changes
 - C. Hess stated that he would like to make some changes moving forward for the PA One Calls process, which include notifying the Road Master, S. Rauch, especially for any calls affecting roadways and also including SEO B. Briar and/or ZO L. Frace as needed for any calls that may affect private sewer(s) and/or zoning & codes items. He will continue to retain records in his office; keeping hard copies for 7 years as required by law. He also wanted to change the billing for each call from \$15.00 to \$1.00. The Board of Supervisors agreed to his recommendations for changes and stated that the billing rate change would go into effect following the reorganizational meeting in JAN2024. The Board of Supervisors requested C. Hess submit a letter to the Township detailing these changes.
 - M. Barwick – Zoning Issues
 - M. Barwick was not in attendance.
- Announcements
 - Executive Session 09OCT2023 after meeting – C. Fisher announced that an Executive Session was held following last month's Supervisors Meeting to discuss Administration personnel items.
 - Executive Session 06NOV2023 before meeting – C. Fisher announced that an Executive Session was held before today's Supervisors Meeting to discuss Maintenance Department personnel items.
- Pass the minutes from the following meeting:
 - 02OCT2023 Supervisors Meeting
 - 09OCT2023 Work Session
 - A motion to accept these meeting minutes was made by G. Naus and seconded by J. Gallagher. Motion passed 5-0.
- Solicitors Report
 - Ruckle Hill Road Solar 1, LLC Appeal
 - Attorney Trathen stated that he submitted the documentation to the court on behalf of the Township for the appeal and a brief has been scheduled. He also noted that he has contacted the other Attorney to discuss a possible settlement. The Board of Supervisors stated that they will enter into an Executive Session following this meeting to discuss legal matters related to this appeal.
- Engineering Report
 - Yost Hollow Road Culvert Replacement Project
 - The road is now open since the project has been completed. Township Engineer A. Keister inspected the bridge with E. Haines at D. E. Bower, Inc. The total cost was under the initial quote (by ~\$6,297.02) due to D. E. Bowers, Inc. not paving all of the shoulders.

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- 7th Avenue Bridge Repair Assessment
 - The repair assessment is pending an update from Township Engineer A. Keister.
- Maintenance Report - S. Rauch reviewed his report for OCT2023. A motion to accept the Maintenance Report was made by J. Gallagher and seconded by M. Sitler. Motion passed 5-0.
 - Davis Hill Road – Since CH Paving is no longer in business, W. Miller is going to hire a company to complete the Davis Hill Road repair. He will schedule to meet with S. Rauch on site within the next 2 weeks.
 - Review and motion to adopt Resolution #9 of 2023 - Authorization For Application Of Statewide Local Share Assessment (LSA) Grant Via PA Department Of Community Economic Development (DCED) and Authorization For Execution Of This Grant [for Maintenance Dept.]
 - This is to apply for a Local Share Assessment (LSA) grant to support the purchase of a maintenance vehicle (pickup truck with a dump bed and snowplow) and to authorize Road Master S. Rauch and Secretary/Treasurer M. DeStefano as the township officials to execute all documents and agreements for this grant and processes.
 - Discuss and review motion for LSA grant application fee (\$100)
 - Motion to adopt above resolution for LSA Grant Application was made by M. Sitler and seconded by G. Naus. Motion passed 5-0. Application fee will be covered by Maintenance Dept. budget.
 - Tractor purchase and sale of Tractor/Loader & John Deere Mower
 - S. Rauch made the recommendation to sell 2 pieces of equipment now that mowing season is over; the funds for this equipment would help to offset the cost of the new tractor. He noted that the mower broke again and has calls into Stephenson for parts but has not received a response. He stated that a letter of intent/commitment letter is needed for the tractor purchase, but wanted to secure its financing first. M. Sitler made a motion to issue the commitment letter to purchase the tractor and to go through all the required procedures to proceed with the tractor purchase; motion was seconded by G. Naus. Motion passed 5-0. M. Sitler also made a motion to sell the 2 pieces of equipment (Case 580 with Loader and Power Boom & John Deere 401D with Tiger Boom Mower); motion seconded by J. Gallagher. Motion passed 5-0.
 - Maintenance Department Staffing – any discussions/motions as may be necessary
 - No longer applicable
- Police Report – T. Frace reviewed his report for OCT2023. A motion to accept the Police Report was made by M. Sitler and seconded by G, Naus. Motion passed 5-0.
- Sewer Authority Report – The OCT2023 report and notes submitted by M. Fisher were reviewed. A motion to accept these Sewer Authority Report and Notes was made by made by T. Prutzman and seconded by M. Sitler. Motion passed 5-0.
 - Ordinance authorizing BAJSA to collect delinquent bills and motion any related decisions for this process.
 - A copy of a sample ordinance for authorizing BAJSA to collect delinquent bills on behalf of the Township has still not been received.
 - The Board of Supervisors inquired to Attorney Trathen about ordinance review considering most other townships have an ordinance in place authorizing BAJSA to collect delinquent bills and BCT would model theirs after the others. Attorney Trathen recommended Township Solicitor (B. Lewis or R. Davidson) review of the drafted BCT ordinance.

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- L. Frace indicated he would inquire to the Mifflin Chair for a copy of their ordinance to share with the BCT Board of Supervisors.
- Sewer Enforcement Report – No report; B. Brior confirmed that there was no activity in October.
- Zoning & Codes Report– L. Frace reviewed his report for OCT2023. A motion to accept his report was made by J. Gallagher and seconded by G. Naus. Motion passed 5-0. The Board of Supervisors suggested L. Frace remain after the meeting to participate in the Executive Session for the solar appeal and also in follow-up to the upcoming ZHB.
 - Update on status
 - 1154 6th Avenue for a Senior Living Assistance Home & the Kennedy property on Dairy Road are both with the Solicitor to file with the court.
 - Blight property at 381 Summerhill Rd. – This is progressing; vendor to complete the demolition is seeking required permits.
 - Hog's Hollow – The Board of Supervisors requested L. Frace follow-up as there has been an observed land disturbance which seems in excess of the previously granted conditional use to expand the parking lot and stage.
- Planning Commission Report – The OCT2023 report submitted by R. Samsel indicated there was no activity.
- Fire Company Report – The OCT2023 report submitted by C. Fisher was reviewed. A motion to accept this report was made by T. Prutzman and seconded by M. Sitler. Motion passed 5-0.
- Present Bills for Payment: Check #s 24631 to 24671/Electronic Payments 03OCT2023 through 06NOV2023 – A motion to pay these bills was made by M. Sitler and seconded by G. Naus. Motion passed 5-0.
- Budgets: General Fund, State/Liquid Fuels Fund, ARP Fund – The budgets were reviewed.
 - Motion approval for continued use and payment of QuickBooks Desktop Plus bookkeeping account at the new rate of \$949.00 plus tax [total ~\$1005.94] – Motion to approve this was made by G. Naus and seconded by T. Prutzman. Motion passed 5-0.
 - Review proposed draft 2024 GF & LF Budgets
 - Motion to approve proposed draft 2024 General Fund Budget / Motion to approve proposed draft 2024 Liquid Fuels Budget
 - Motion to approve above proposed 2024 GF & LF budgets was made by G. Naus and seconded by T. Prutzman. Motion passed 5-0.
 - Motion to adopt Resolution #11 of 2023 to increase township real estate tax rate equivalent to 1 mill – The Board of Supervisors agreed that a 1 mill tax increase is warranted and have tentatively approved this resolution. The formal motion to adopt Resolution #11 of 2023 is scheduled for the 04DEC2023 meeting.
 - Motion to advertise tentative adoption of the 2024 Proposed Budgets; including a 1 mill real estate tax increase to the General Fund with planned adoption at the 04DEC2023 Supervisors Meeting
 - Motion to advertise this was made by G. Naus and seconded by T. Prutzman. Motion passed 5-0.
- Correspondence – The BoS reviewed the correspondence received to date since the last meeting.
 - 2023 Fiscal Year Audit service agreement with Wagner Dreese, Elsasser & Associates, P.C.

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- Motion township's intent to appoint CPA firm Wagner Dreese, Elsasser & Associates, P.C. to perform the 2023 Fiscal Year Audit (in place of elected officials); this motion includes advertising appointment of CPA as per Township Code
 - Motion to sign the agreement and advertise as noted above was made by M. Sitler and seconded by T. Prutzman. Motion passed 5-0.
- Ongoing Business
 - Update on Connect Humanity "Preparing Appalachian Communities for Broadband Equity, Access, and Deployment (BEAD) and Digital Equity Act (DEA)" grant - T. Prutzman stated that BCT & NCT were awarded a grant. Next steps include reviewing the Connect Humanities Excel spreadsheet to generate a Broadband Feasibility Study with Mapping proposal and then seek quotes. An RFP is not required. BCT and NCT will be working with S. Kramer at SEDA-COG on this. The selected consultant for this is paid by the grant. The first report is due mid-December. The grant goes through October 2024.
 - Conflict of Interest Policy – Ethics forms currently serve this purpose in lieu of an actual policy for BCT & NCT.
 - Travel Policy – BCT & NCT currently follow GSA guidelines for mileage rate, etc. as public stewards
 - Through dialogue during the application process, it was noted that having established policies documented and in effect is beneficial for seeking grant applications. Otherwise red flags are raised during the grant review process; not having these in place results in a higher risk categorization. In the event that a grant is awarded and a township does not have these policies in place, they will likely have additional reporting requirement frequencies.
 - Columbia County Conservation District (CCCD): Road & environmental situation at Hartman's Court and surrounding roads
 - CCCD meeting with PEMA re: BRIC (Building Resilient Infrastructure in Communities) grant
 - A. Eldred of CCCD stopped in last week after meeting met with a sub-contractor for American Tower at the local affected site. He stated that work is planned to be done next spring to help alleviate some of the issues. An email with his reported update was forwarded to the BoS.
 - He and N. Corbin met with T. Hughes at PEMA. While T. Hughes did not think the project would be a good fit for one category (flood), he did suggest submitting an LOI to see if the project would be a fit for the second category (non-disaster). An LOI was submitted and will undergo review by PEMA in the next few weeks.
 - Township Banking – discussion of and motion any decisions for depository services
 - M. Sitler wanted to see a side-by-side comparison of both depositories service options before making a decision; planned for the December meeting.
- New Business
 - Accept the resignation of Supervisor T. Prutzman effective 07NOV2023
 - Motion to accept the above-noted resignation was made by M. Sitler and seconded by G. Naus. Motion passed 4-0. (Abstention by T. Prutzman)
 - Motion to advertise for Supervisor appointment for remainder of 2023
 - Motion to advertise for the Supervisor vacancy was made by J. Gallagher and seconded by G. Naus. Motion passed 4-0. (Abstention by T. Prutzman)

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- Review and motion approval of the Secretary/Treasurer job description and amendment of the Employee Handbook for Non-Uniformed Employees for its inclusion
 - Motion to approve the above-noted job description and handbook amendment was made by M. Sitler and seconded by J. Gallagher. Motion passed 5-0.
- Accept the retirement/resignation of Secretary/Treasurer M. DeStefano; last date of employment is 15DEC2023.
 - Motion to accept the above-noted resignation was made by T. Prutzman and seconded by M. Sitler. Motion passed 5-0.
 - Discuss and motion scheduling candidate interviews – The Board of Supervisors will discuss after the Executive Session.
- Review and motion decision on 2024 Meeting dates; motion includes advertising 2024 meeting dates.
 - Dates were reviewed and selections made. A motion to approve the selected 2024 meeting dates and to advertise the meeting schedule was made by M. Sitler and seconded by J. Gallagher. Motion passed 5-0.
- Discuss potential Auditor appointments for 2024 and Auditors Meeting (03JAN2023, contingent on all appointee's availability); once confirmed will need to motion to advertise Auditors Meeting
 - M. Sitler suggested reaching out to the current 3 appointed auditors to gauge interest for 2024.
- Discussion of and any motions for ARP funding project allocations
 - Update - QuickBooks Company re-build – Accountant's copies of the files were sent Wagner, Dreese, Elsasser & Assoc., P.C. on 03NOV2023 for the township company QuickBooks rebuild. Distribution and training are scheduled for 13&14NOV2023 onsite.
 - Other items for ARP allocation per BoS discretion
 - There is approximately ~\$74,000 remaining to be allocated, and either spent or contracted by December 2024.
 - T. Frace is researching a potential proposal for elderly transportation support.
 - The Board of Supervisors previously agreed to support a township shredding/recycling day and also previously considered supporting funds towards codification.
- For the good of the order
 - M. Sitler was recently at a convention and learned of unclaimed monies in the PA State Treasury potentially due to the BCT PD and Township. He will forward the information to Chief Frace.
- Adjourn – The Board of Supervisors entered an Executive Session.

Respectfully,
Michelle DeStefano
Secretary/Treasurer