

BRIAR CREEK TOWNSHIP SUPERVISORS

Supervisors Meeting

October 3, 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 October 3, 2022, beginning at 7:00 PM at the Township Municipal Building. Present were the following: Supervisors M. Sitler, G. Naus, C. Fisher, T. Prutzman, Secretary/Treasurer M. DeStefano, Police Chief T. Frace, Road Master T. Albertson, Zoning/Codes Official L. Frace, Solicitor B. Lewis, and Planning Commission Administrator R. Samsel.

AGENDA & MEETING MINUTES

- M. Sitler called the meeting to order at 7:00 PM.
- Pledge of Allegiance was completed by all present.
- Announcement – An Executive Session was held during the last Work Session on September 19, 2022; noted in those meeting minutes.
- Public Participation – None
- Pass the minutes from the following meeting:
 - August 8, 2022 Combined Supervisors & Work Session Meeting – A motion to approve these minutes was made by C. Fisher and seconded by G. Naus; motion passed 4-0.
- Maintenance Report – T. Albertson presented his report for September. A motion to accept this report was made by T. Prutzman and seconded by C. Fisher. Motion passed 4-0.
- Police Report – T. Frace presented his report for September. A motion to accept this report was made by G. Naus and seconded by T. Prutzman. Motion passed 4-0.
- Sewer Authority Report – The Sewer Authority Report for September submitted by M. Fisher was reviewed. A motion to accept the report was made by T. Prutzman and seconded by M. Sitler. Motion passed 4-0.
- Sewer Enforcement Report – The Sewer Enforcement Report for September submitted by B. Brior was reviewed. A motion to accept the report was made by C. Fisher and seconded by G. Naus. Motion passed 4-0.
- Zoning & Codes Report – L. Frace presented his report for September. A motion to accept the report was made by C. Fisher and seconded by G. Naus. Motion passed 4-0.
 - Berwick Hospital Status – L. Frace issued a letter with the zoning information and included a copy of the recorded map and is waiting for a response. In today's news Ms. Sharma filed for Chapter 11 bankruptcy for Berwick Hospital. She plans to operate it as a mental health hospital.
 - 1154 6th Avenue Status – The building and the two apartment buildings on the lot were condemned in 2018. L. Frace stated that the Zoning Permit Application submitted recently to the township was denied. There were several items listed that required a response, which is pending. An Engineering Structural Report is required among other things. A violation was also issued for the 8 vehicles set there. B. Lewis previously spoke with Mr. Patel's Attorney, T. McDonald who indicated plans were reviewed and they knew a variance for setbacks would be required. They were waiting for the Engineer, D. Peters, to address this, but then the permit application was submitted. The dilapidated state and safety of the building is still a concern. The bus stop nearby was previously relocated. It was recommended that the building be torn down. The Township wishes to avoid any type of building collapse. B. Lewis provided input on the process for condemnation and blight. L. Frace suggested giving time for the applicant to respond to the issues addressed in the permit application denial.
 - Solar Ordinance / Solar Community Project
 - The New Leaf Energy Solar Project planned for Ruckle Hill Rd. by the golf course was discussed. While the parcel is in both Briar Creek Borough and Briar Creek Township, the majority is in BCT. The current Zoning Ordinance does include some commercial solar provisions. The business owner is also placing a new plastics facility at the BIDA location and will be using the solar farm to help offset energy costs used at this facility. Plans for the solar farm are still being worked on.
 - Following review of the draft Solar Ordinance, the BCT Planning Commission (PC) made the recommendation for residential solar panel placement to be on roofs with some distance away

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from the edges. The PC did not recommend placement in open fields.

- The drafted solar ordinance does require a bond in the event the owner walks away, the township can have it decommissioned.
- To progress the drafted solar ordinance, the BoS would need to submit any changes to be incorporated to the Solicitor, motion to advertise it at the next meeting, have the ad published and then hold a vote at the next subsequent meeting. Once advertise, this provides notice to applicants for solar projects.
- Mobile Home Park Ordinance – Following review of the draft Mobile Home Park Ordinance, the BCT PC made the recommendation to ensure the parameters were applied equally to all relevant properties, not just mobile home parks. This would include residential properties with mobile homes, double-wide trailers.
- 381 Summerhill Road – Blight Property – L. Frace filed with the Magistrate after issuing the 2 prior notice letters via certified mail. B. Lewis provided his advisement. It may be necessary to file multiple citations. The first step, if it can be negotiated, is to have the property voluntarily transferred to the Township. Then the collaborative process with Columbia County Housing & Redevelopment Authority can begin.
- Planning Commission Report – The Planning Commission Report for September submitted by R. Samsel was reviewed. A motion to accept the report was made by T. Prutzman and seconded by C. Fisher. Motion passed 4-0.
- Fire Company Report – The Summerhill Volunteer Fire Company report for September submitted by C. Fisher was reviewed. A motion to accept the report was made by M. Sitler and seconded by T. Prutzman. Motion passed 4-0.
- Solicitor's Report – In addition to advisement on the topics under Zoning & Codes, B. Lewis noted he is working with T. Frace on an equipment grant for the PD. He also encouraged the Supervisors to progress the various ordinances that have been in draft and under review the past few meetings. The document received by the Township for a Class Action Settlement regarding Warren THF Fluids (e.g., transmission, hydraulic, tractor fluids) purchased 2014 to present will be sent to B. Lewis for review to ensure legitimacy before taking any potential action. A motion to accept the Solicitor's report was made by C. Fisher and seconded by T. Prutzman. Motion passed 4-0.
- Present Bills for Payment: Checks #24195 to 24224 /Electronic Payments 07SEP2022 through 03OCT2022 – A motion to pay the bills was made by C. Fisher and seconded by G. Naus. Motion passed 4-0.
- Budgets: General Fund, State/Liquid Fuels Fund, ARP Fund – The budget status for each account was reviewed.
 - Review of Preliminary 2023 DRAFT Proposed Budget – M. DeStefano reviewed some comments on the current draft budget and noted where additional input is requested from others on a few line items. M. Sitler indicated everyone should look over the draft budget so that it can be discussed again at the Work Session next Monday. M. DeStefano also noted that a review of extrapolated data indicates that expenses for 4Q2022 should be payable barring any extenuating circumstances.
- Correspondence – The Board reviewed the list of correspondence received to date through 03OCT2022.
- Ongoing Business
 - Yost Hollow Road Culvert – Update: The redesign is ongoing and is estimated to be completed around mid-October, submission of permit to DEP by end-December. There was discussion of possibly seeking additional funding from CCCD, DCED, and/or the County.
 - T. Prutzman indicated that it is to be determined if the County will handle the Comp. Plan grant for Briar Creek Lake or if they will be delegating this responsibility to the Township.
 - ARP Funds
 - HVAC System – Review and approve Matthews Fuel Service Inc. Invoice in the amount

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\$205.00 for payment of larger Propane Tank Installation required for new HVAC system in Office Building - A motion to approve this invoice for payment via the ARP funds was made by G. Naus and seconded by. C. Fisher. Motion passed 4-0.

- New Business
 - IPMC Resolution & Appointment of IPMC Appeals Board Members
 - Note: The IPMC Ordinance to repeal prior versions and adopt the 2021 edition of the IPMC was advertised in the Press Enterprise on 28SEP2022 and is scheduled to be considered for enactment on 10OCT2022 at the scheduled Work Session Meeting.
 - Per B. Lewis a joint municipal IPMC Appeals Board is permissible, but the members should have the required qualifications to be appointed.
 - Once the Ordinance adopting the 2021 Edition of the IPMC is adopted, 3 appointments will need to be made to the IPMC Appeals Board via Resolution.
- For the good of the order
 - L. Frace recommended the BoS review their permit fees.
 - Halloween – BCT PD & SVFC Trunk or Treat is October 26, 2022. Township trick or treating for Halloween was suggested to be October 28 (Fri.) & 29 (Sat.), 2022, but the BoS would like to see what dates other local municipalities have selected. This will be added to the Work Session agenda for next Monday.
- Adjournment – A motion to adjourn the meeting at 8:12 PM was made by G. Naus and seconded by C. Fisher. Motion passed 4-0.

Respectfully,
Michelle DeStefano
Secretary/Treasurer