

BRIAR CREEK BOROUGH
July 1, 2026
Regular Council Meeting Minutes

President W Bruce Michael called the meeting to order at 7PM. The Pledge Allegiance to the Flag was recited, followed by a Moment of Silence.

Roll call of Council Members was taken. Present: Mayor Harold Kershner, Jr., W. Bruce Michael, E. James Seeley, James Long, Ed Fenton, Rodney Koch, Bill Witner, and Holli Trivelpiece. Other officials present were Solicitor Rob Davidson, Zoning Officers Larry Frace and Abigail Smith, and Secretary Carol Kieser. Absent: Engineer.

Citizens Present: D a v e D e H a v e n , Keith Hess, John Trivelpiece, Carl Majer (left shortly before meeting began), and Terri Delo, Engineer for the Sheetz Re-Build Project.

Citizens – No citizen comments or suggestions were received.

The 05/24 work session and 06/03/2026 council meeting minutes were approved as recorded.

Terri Delo, Integrated Consulting, took the floor and described the Sheetz Re-Build Project. Demo will begin in the Fall, break ground for the rebuild is proposed to begin in November with a completion date of February 2027. Discussion was held by Council on the 6ft fence to prevent vehicle lights from the store parking stalls from shining onto Welliver Road, snow removal and snow storage was discussed, and truck unloading operations were described.

Terri Delo requested sidewalk waivers. Attorney Davidson was authorized to draft the waivers.

Motion was made by Ed Fenton/seconded Bill Witner to approve the project contingent on the receipt of the stormwater and developers agreements, security bond, and waivers. Motion carried; no opposed. Council requested four updated copies of the prints.

No Mayor's report was given.

Engineer's Report – No report.

Solicitor's Report –Atty. Rob Davidson

Attorney Davidson reported an RTK request was received for Briar Creek Township police records and was appealed to PA Office of Open Records. An email was sent to the requester explaining the Briar Creek Borough does not have a police department and the RTK request for information should be sent to Briar Creek Township. Requester dropped the PA Open Records appeal.

Ruckle Hill Solar Farm – All court order have been met except a noise study needs to be performed for a two-week period and then construction permits can be issued.

Ordinance to Adopt Act 131 to increase maximum allowable compensation for Borough officials – No report.

Bruce Michael and Attorney Davidson are still working on the ownership of Rt. 11 road entrance to Ber-Vaughn Park. Bruce Michael recommends hiring a surveyor to record the boundaries. No action taken.

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Zoning Officer's Report – Larry Frace presented and discussed the June 2026 report including zoning and construction permits which were issued for the mobile home parks, complaints and zoning violations. Larry Frace attended the Hazard Mitigation Training held for Columbia County.

Zoning for Data Center – Planning Commission Meeting is scheduled for Wednesday, July 15, 2026 to determine an area which would permit a data center.

Application submitted by Smith Pipe for a variance was received and reviewed. Zoning Hearing has been set for Thursday, July 23, 2026.

Secretary/Treasurer's Report

Motion by Holli Trivelpiece/seconded Jim Long to pay the invoices and accept the Treasurer's Report. Motion carried; no opposed.

Motion by Ed Fenton/seconded Jim Seeley to reimburse Jim Long to attend the BIDA event. Motion carried; no opposed.

An updated RTK spreadsheet was submitted. Council discussed the burden to fund the responses to these requests has been put on the borough residents. Council discussed the legal fees and secretary's time to answer the requests. Attorney Davidson noted the RTK Law does not require a formal submission for documents and the public can gain access to documents simply by contacting the borough office and asking. When an RTK request is submitted, it becomes a legal proceeding.

Council held a discussion to increase public transparency of how their tax dollars are being spent by posting RTK requests on line. Motion by Jim Long/seconded Holli Trivelpiece to post the RTK requests, Right-to-Know Law Policy, Fee Structure and Request Form. Motion carried; no opposed.

A discussion was then held in regard to the fee schedule and the need for reimbursement of documents that are provided thru an RTK request. Motion by Jim Seeley/seconded Rodney Koch to amend the RTK policy and fee schedule to add for reimbursement when a document is converted from paper records to a pdf file for electronic response to an RTK. Cost would be same as the rate to copy. Roll call: Jim Long, yes; Ed Fenton, yes; Rodney Koch, yes; Bill Witner, yes; Jim Seeley, yes; Holli Trivelpiece, yes; Bruce Michael, yes. Motion carried on unanimous roll call vote.

Committee Reports

Law and Finance – CD #9323 matured on 06/29/2026. Motion by Ed Fenton/Jim Long to renew at 4% for 182 days. Motion carried; no opposed.

Local Police Coverage – Work still in progress.

Highways and Streets – No report.

Buildings and Grounds – Park Road Tree Trimming - Jim Seeley reported he has been in contact with Tomassacci Tree and they are in agreement to extend the contract until the Fall when the leaves are off the trees.

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Old or Unfinished Business - The BCT/BCB 1st Avenue Stormwater Project is pending.

New Business

Motion by Ed Fenton/seconded Jim Long to adjourn. No further business was conducted and meeting was adjourned at 7:48PM. Motion carried.

Respectfully submitted:

Carol A Kieser, Secretary
Briar Creek Borough