

MINUTES OF SEVEN VALLEYS BOROUGH
COUNCIL MEETING
March 7, 2022

The meeting was held at the Seven Valleys Fire Hall, 35 Main Street, and was called to order at 7:00 p.m. by President Stiles, followed by the pledge to the flag.

COUNCIL MEMBERS PRESENT

Zachary W. Stiles - President
Gregory W. Kinard – Vice President
Gregory Bonas
Deborah J. Ferree
Gary Landis
John J. Neal
William H. Stiles, II

ALSO IN ATTENDANCE

Douglas J. Wagner – Mayor
Cheryl D. Bahn – Secretary
Todd A. Zeigler – Asst. Secretary & Treasurer
D. Michael Craley – Solicitor
Samantha Craley, Assistant Solicitor
Jeffrey Koons – Zoning Officer

Number of Visitors in Attendance – 2

APPROVAL OF MINUTES

REGULAR MEETING HELD FEBRUARY 7, 2022

- Motion by Councilman Neal, seconded by Councilman Landis, and unanimously carried to approve the February 7, 2022, meeting minutes.

PUBLIC COMMENT

- Larry Garland, 9 Maple Street, brought to the attention of Council the accumulation of scrap and building materials remaining from a garage demolition about two years ago at the property known as 72 Main Street (Williams). Zoning Officer Koons noted the matter and will follow-up with a site visit and letter.
- Bonnie Fairchild, 95 Main Street, was present to discuss the issue related to feeding feral cats at 34 Church Street; specifically, the notice of violation that she received from Zoning Officer Koons. The notice stated that she could be fined if she continued to feed the cats. Zoning Officer Koons confirmed that he had a telephone conversation with Ms. Fairchild, and he reported that she did not agree that he took it upon himself to send the violation notice without a formal directive from the Council. He explained to Ms. Fairchild that the Council does not need to direct him to enforce ordinance violations. He further stated that while she is working with the York County SPCA to find homes for the cats it remains an ordinance violation. Ms. Fairchild confirmed that she dismantled the cat shelter on the property of 34 Church Street, but also stated that she feels she cannot let the cats go unfed. She believes that her feeding the cats will reduce the risk of diseased cats. Ms. Fairchild stated that she and her cousin had ten (10) cats spayed/neutered and released last summer through the SPCA NTR program. It was suggested that she move the feeding of the cats up the street to her property. She indicated that

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she has attempted that in the past, but they will not stay there. Councilman Kinard commented that if there is no food source for the cats at 34 Church Street they will not stay there. Solicitor Craley stated that the violation would be a non-traffic citation, violating Chapter 39 of the Borough Code, and that she would then have the opportunity to plead guilty or not guilty before District Judge Reilly. If she chose to have a trial, and was found guilty, she would be subject to a fine (not less than \$50 nor more than \$600) and court costs, and if she did not pay the fine and costs she could then be sent to prison. Ms. Fairchild and Zoning Officer Koons both stated that they hope for a resolution. Solicitor Craley made it clear that under the ordinance the person feeding feral cats becomes the “owner” of the cats and takes responsibility for their actions. Mayor Wagner stated that Ms. Fairchild has made the choice to feed the cats and that it must be done on her property, first and foremost, to which she agreed as being fair. He strongly encouraged Ms. Fairchild not to enter upon private property to feed cats. The consensus of Council was that Zoning Officer Koons table further action for one month to allow Ms. Fairchild time to move the feral cats to her property. Ms. Fairchild stated that if she does this, but other people feed the cats and they leave her property, she will not take responsibility because of others’ actions. She also stated that if they do leave her property, she agrees to not feed the cats off her own property. She expressed a concern with placing food outside for the cats because it can attract other unwanted animals. President Stiles reiterated that is the very issue at hand with the cats being fed at 34 Church Street. Councilwoman Ferree mentioned that there is a person on Aldinger Road (in North Codorus Township) that will take in cats; she will get the phone number to share with Ms. Fairchild. Assistant Solicitor Craley indicated that she had an extensive list of shelters that deal with cats and that she would be happy to share that contact list. This issue will be revisited in one month before further action is considered, if warranted.

- Brenda Oliver, future resident of 111 Main Street, asked Council for permission to place her mobile home on the property while she applies for her permits (zoning, building, sewer, and highway occupancy for the driveway). It was agreed that the mobile home is equivalent to building materials being stored on a property until a new structure is permitted for construction. She assured the Council that she will not occupy the 14’ x 66’ mobile home until it is fully permitted. A motion was made by Councilman Stiles, seconded by Councilman Kinard, to approve Ms. Oliver’s request to store the mobile home on the vacant lot on the condition that it is not occupied until all permits are paid and issued by the appropriate parties. Motion carried unanimously.

ENGINEER’S REPORT

- There was no engineer’s report this month.

SOLICITOR’S REPORT

- Business related to the Solicitor is reported under “New Business.”

ZONING/UCC/CODE ENFORCEMENT REPORT

- Zoning Officer Koons reviewed his monthly report with the Council (report is on file).
- Michael Snow, owner of property on Mason Avenue, has resubmitted his building plans to Middle Department Inspection Agency for the conversion of the property from a single-family residence to an auto repair business.

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- There was continued discussion about the zoning use of 34 Main Street. Zoning Officer Koons confirmed that under the current zoning the property is approved for a dwelling and retail store; the property complies. Should either of those uses change or an additional use be added, the property will need to comply with the zoning ordinance.
- Now that Zoning Officer Koons' six-month contract has been completed, a motion was made by Councilman Kinard, seconded by Councilman Stiles, to appoint him as zoning officer in accordance with the terms of the written contract. Motion carried unanimously.

UNFINISHED BUSINESS

EMERGENCY MANAGEMENT COORDINATOR (EMC)

- Assistant Secretary Zeigler reported that David Meiler had also been EMC for Jefferson Borough, who resigned several months ago, and that he was replaced by C.R. Lloyd of York New Salem. Mr. Lloyd also serves as EMC for New Salem Borough and North Codorus Township. After a period of discussion, it was agreed that Assistant Secretary Zeigler will email the EMC job description to Mayor Wagner, and that they both would work together to find an EMC for the next meeting. Mayor Wagner will contact Scott Lackey, who is a volunteer with the Seven Valleys Fire Company, to see if he would be willing to serve as EMC.

CONSTABLE VACANCY

- It was agreed to remove this item from the agenda. The York County Court of Common Pleas would need to make the appointment for Constable, upon petition by electors of the Borough.

NEW BUSINESS

RESOLUTION NO. 11-2002: ARPA FUNDS DESIGNATION

- A motion was made by Councilman Kinard, seconded by Councilman Neal, to approve the resolution, which formally elects the "Standard Allowance" for the ARPA funds when filing reports. The U.S. Treasury allows this option for funds up to \$10 million dollars for non-entitlement municipalities. The motion carried unanimously.

ORDINANCE NO. 01-2002: AUTHORIZE SAME PERSON TO SERVE AS SECRETARY & TREASURER

- On the motion of Councilman Stiles, and a second by Councilman Kinard, the ordinance was adopted unanimously. The adoption of the ordinance allows the same person to serve as the Borough Secretary and Treasurer.

FINANCIAL REPORT

FEBRUARY 2022

- Motion by Councilwoman Ferree, seconded by Councilman Landis, and unanimously carried to approve, accept, and file the financial report for audit, and authorize the Treasurer to pay regular bills.

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REPORTS

SECRETARY'S REPORT

- Assistant Secretary Zeigler reported on the upcoming quarterly meeting of the York County Boroughs Association. Mayor Wagner will attend, along with Secretary Bahn and her husband. Secretary Bahn stated that she will pay for she and her husband to attend.
- Council was reminded of the 110th Annual Conference of PSAB to be held in late May 2022, for anyone interested in attending.

MAYOR'S REPORT

- Mayor Wagner reported that the patching that he did on East Street probably needs more to fill it in. He suggested we get estimates to repair the street. Secretary Bahn commented that there is a cost estimate because East Street is on the York County Community Development Block Grant short-list (for projects if extra funding becomes available).

LIEN COLLECTION REPORT

- No report.

YCSTSA REPORT

- The Council was provided with the monthly Sewer Authority report.
- A copy of a letter the Sewer Authority received from the Realtors Association on the subject of "Point-of-Sale" sewer inspections was briefly discussed. No action required by the Council; informational only.
- Correspondence from Loganville Borough to the Sewer Authority was shared with the Council. Loganville disputes the sewer rate increases and have challenged it through the sewer agreement. Solicitor Craley believes Loganville does not have the authority to make the challenge; only the individual rate paying customers. If there are any meetings, the Solicitor will observe on behalf of Seven Valleys Borough.

COUNCIL COMMENTS

- Councilman Neal noted that the area of Maple Street, near the Pete Byrnes farm, should be crack sealed this year, particularly along the edge of the roadway on the side toward the railroad/rail trail.
- Councilman Kinard stated that on Church Street, across from Park Street, the roadway is breaking up and should be patched. Assistant Secretary Zeigler will contact PennDOT to ask that they look at making the repair.
- Assistant Secretary Zeigler reported that he has been in contact with PennDOT and that they will place cleanup of the underpass on their maintenance schedule.

ADJOURNMENT

- The meeting was adjourned at 8:06 p.m. by President Stiles. The next regular Council meeting will be held on Monday, April 4, 2022, at 7:00 p.m.

Respectfully submitted,

Todd A. Zeigler
Assistant Secretary