

MINUTES OF SEVEN VALLEYS BOROUGH  
COUNCIL MEETING  
Monday, April 1, 2013

Council President John A. McDonald called the meeting to order at 7:00 pm with the Salute to the Flag. Those in attendance in addition to Mr. McDonald were Council members David M. Dietrich , Gregory W. Kinard, Rebecca Kinard, Robin L. Venable and Edwin E. Zeigler, Mayor Steven A. Venable, Secretary Cheryl D. Bahn and Solicitor D. Michael Craley. Larry Garland was absent from the meeting. The meeting was held at the Seven Valleys Fire Company, 35 Main St, in Seven Valleys Borough.

The minutes were corrected as follows: The "M" in Minutes is missing from the title and "(7:20)" next to Steve Venable's name should be removed. Becky Kinard noted that a portion of the minutes she received were from February. Hearing no further corrections or comments, President McDonald declared the minutes of the March 4, 2013 meeting approved as corrected.

**PUBLIC COMMENT**

No Public Comment.

**ENGINEER'S REPORT**

No Engineer's Report.

**SOLICITOR'S PORTION OF THE MEETING**

There is no pending action of tax sale or sheriff sale on the 132 Main Street property.

Parcel 110B contains 1/2 acre and was improved with the single family detached dwelling. The adjoining property Parcel 110C (0.510) was purchased in 1994. Between 1994 and 1999 the accessory building garage was built. This building is not hooked to separate sewer or septic, but uses what is there.

It is Mr. Craley's opinion that the construction of the accessory garage has integrated parcels 110B and 110C into a single lot and these cannot be considered to be held in single and separate ownership. The attachment of the buildings by the deck further supports this interpretation, as does the fact that 110C does not show any assessment for buildings, only land. Case law supports our position that the property has been integrated or "merged" by the physical manifestations of the owner doing what was done on the ground, and the fact that the property continues to have two tax parcel numbers and is still on two deeds is irrelevant.

Mr. Craley contacted Wayne Smith and recommended that he send a determination letter (with the necessary appeal rights) to the listing realtor and the owner of record stating the above and that the property must be sold as one parcel. This information can also be given to anyone else who inquires about the property.

**UNFINISHED BUSINESS**

**Mr. McDonald had checked on Mulberry Street to determine what was necessary to maintain the Street.**

**Motion by R. Kinard/R. Venable to have Ken's trucking deliver and tailgate-spread stones for Mulberry Street at a cost of \$250.00 per load – up to three loads. Motion carried unanimously.**

**Ammended Motion by R. Kinard/R. Venable that the cost of the stones and delivery not exceed \$900.00. Motion carried unanimously.**

**NEW BUSINESS**

No New Business

**FINANCIAL STATEMENT** - Period Ending 03/31/2013

PLGIT	\$ 4,310.29
Peoples Bank	\$ 143,229.39
Tax Collector Account	<u>50.00</u>
	\$ 147,589.68
PLGIT Balance State Liquid Fuels Fund	\$ 197.70

**Motion** made by Dietrich/R. Venable to pay the bills listed on the Financial Report as well as to approve, accept and file statement for audit. Also pay Ken’s Trucking and Rodney Barshinger when invoices are presented. Motion carried unanimously.

**CORRESPONDENCE/REPORTS/AROUND THE TABLE**

1. Lien Collection Report - 6 collected - 5 outstanding
2. Review of Zoning/Code Enforcement Report.
3. The Sewer Authority report was passed for council to review.
4. A letter was received from Ed Strevig, Inspector, regarding the recent Audit by the Department of Labor & Industry on the Tri-Community Ambulance Building. He asked to contact him if there were any questions that were not cleared up in his letter.
5. Steve & Robin Venable announced that they will be moving from the Borough. They have a contract on their house and plan to settle mid April. They will let the Borough know when they are no longer residents of the Borough and submit resignations at that time. The positions must be filled within 30 days of the actual resignation.
6. Ed Zeigler reported that there are several places where the Borough streets will need repaired.

With no further business to come before council, President McDonald adjourned the meeting at 7:23 pm. Next Borough Council Meeting will be Monday, May 6, 2013 at 7:00 pm at the Seven Valleys Fire Hall, 35 Main Street, Seven Valleys Borough.

Respectfully submitted,

Cheryl D. Bahn, Secretary