

MINUTES OF SEVEN VALLEYS BOROUGH  
COUNCIL MEETING  
Tuesday, January 13, 2009

**The Monday, January 5, 2009 meeting of Seven Valleys Borough Council was rescheduled for Tuesday, January 13, 2009 due to a lack of a quorum present.**

Council President Lynn W. Krebs called the meeting to order at 7:00 pm with the Salute to the Flag. Those in attendance in addition to Mr. Krebs were Council members David M. Dietrich, Larry E. Garland (7:40), John A. McDonald & Edwin E. Zeigler, Mayor Trabert A. Ellis, Solicitor D. Michael Craley and Secretary Cheryl D. Bahn. Rebecca A. Kinard & Gregory W. Kinard were absent from the meeting.

The minutes, page 188, 4<sup>th</sup> line, were corrected to read as follows: "Motion made by G. Kinard/Garland to adopt the 2009 Budget". President Krebs declared the minutes of the December 1, 2008 meeting approved as corrected.

**PUBLIC COMMENT** No Public Comment

**ENGINEER'S REPORT**

**Motion** by McDonald/Zeigler to authorize signature of contract with York County for CDBG Funding in 2009 for an amount of \$95,100.00 when the document is received from the Planning Commission. Motion carried unanimously.

**Motion** by Dietrich/Zeigler to authorize signature of the DEP General Permit for the new culvert under Maple Street, certifying that the work was completed. Motion carried unanimously.

**Motion** by McDonald/Dietrich to authorize Change Order #2 to the Maple Street Project of \$2,800.00 to remove the washed out area at the culvert and replace with rip rap stone and \$1,750.00 to excavate the area around the fire hydrant and replace with 10' x 10' area with 3" of 19mm binder course. Motion carried unanimously.

The grant for \$10,000.00 that the Borough is slated to received from PA DCED may need to be used to pay the contractor directly rather than a reimbursement to the Borough, the Secretary will confirm the terms of the grant and hold payment to the contractor if necessary.

Discussion of Main St Curve issue. Tom Wallace, Lynn Krebs, Ed Zeigler, and the Secretary met with Scott Wolf and Kevin (Ken?) Bratz, District Penn DOT Traffic & Safety Division on 12/19/2008 at the Main St Curve. Mayor Ellis provided the information on accidents and it had been forwarded to Mr. Bratz. Mr. Bratz had also spoken with Tom Wallace and had visited the site on two earlier occasions to take measurements and do testing. He will write up his finding and present them to be reviewed and acted upon by others. We will then find out what action, if any, will be taken. Also while looking at the curve, Mr. Bratz pointed out the trees in the clear site triangle at 87 Main St are in the Penn DOT right of way to the south and block the view looking up the hill when coming out of East Street. Notice has been given to the property owner. Mr. Bratz also pointed out that the some of the English ivy on the property to the north at 85 Main St is in the clear site triangle and actually blocks the view looking down the hill when coming out of East Street. The owner of that property will need to be notified. There was discussion that the southern property owner was appealing the fact that he would have to remove his trees and the possibility of making East Street one-way east. While a traffic study would need to be done before any action would be taken, a visit to the Church Street outlet on Mason Avenue determined that outlet only on

Church Street was a worse situation as the corner of houses are in those clear site triangles. Mr. McDonald is concerned that the skid tests were not done on a wet surface.

### **SOLICITOR'S PORTION OF THE MEETING**

**Motion** made by Zeigler/Dietrich to adopt Resolution 2009-1 appointing planning commission members as follows:

Thomas Ensminger	12/31/2009
Wayne Kessler	12/31/2010
Cathy Ensor	12/31/2011
Larry Garland	12/31/2012
John McDonald	12/31/2012

Motion carried unanimously.

**Motion** made by McDonald/Zeigler to adopt Resolution #2009-2 appointing members to the Zoning Hearing Board as follows:

Denton J. Guise	12/31/2009
Beth A. Kinard	12/31/2010
Beverly J. Kunkle	12/31/2011
Ray A. Dietrich, Jr.	12/31/2009 - alternate
Ray A. Dietrich, III	12/31/2009 – alternate

Motion carried unanimously.

**Motion** made by McDonald/Dietrich to adopt Resolution #2009-3 setting the Tax Collector Commission at 5% of taxes collected beginning with the year 2010 and continuing until further revised. Motion carried unanimously.

### **UNFINISHED BUSINESS**

Sink hole in the grass by underpass is still in need of attention.

### **NEW BUSINESS**

**Motion** by Dietrich/McDonald to authorize the signature of the audit letter from Kochenour, Earnest Smyser & Burg - CPA Firm. The cost of the audit will be \$1,500.00. Motion carried unanimously.

**Motion** by Dietrich/Garland to replace the Mulbury Street sign with a new Mulberry Street sign. Motion carried unanimously.

### **STATEMENT** - Period Ending 12/31/2008

General Fund	Peoples Bank	\$ 9,016.22
	PLGIT	\$ 8,370.80
	PLGIT I	\$121,894.65
	York Federal Tax Collector Account	\$ <u>50.00</u>
	Balance	\$139,331.67
State Liquid Fuels Fund	PLGIT	\$ 10,291.80

**Motion** made by G. Kinard/McDonald to pay the bills as listed on the Financial Report and to approve the financial statement and place it on file for audit. Motion carried unanimously.

**Motion** made by B. Kinard/Dietrich to authorize the Treasurer to pay all normal and customary bills as necessary to allow checks to clear the bank by 12/31 and to reimburse the General Fund with Liquid Fuels Money for the cost of Street Lights for 2008. Motion carried unanimously.

Secretary was directed to inquire as to why 8T of salt/antiskid was necessary for Seven Valleys on 12/21 & 12/24.

**COMMENTS, OBSERVATIONS & AROUND THE TABLE**

Election Office 771-9604 - The following terms are finished at the end of 2009. They will need to petition to be placed on the ballot if they choose to run for election. Mayor Ellis, Council members – Lynn Krebs, David Dietrich, Larry Garland, Tax Collector, Connie Patterson Forms will be available after 2/1/2009.

Zoning - 35/37 Church St – Letter received from owners. They understand that they are not permitted to rent the little white house and intend to use it as a part of 35 Church St once the family has moved to a permanent residence.

With no further business to come before council President Krebs adjourned the meeting at 8:50 pm. Next Borough Council Meeting will be Monday, February 2, 2009 at 7:00 pm.

Respectfully submitted,

Cheryl D. Bahn  
Borough Secretary