

MINUTES OF SEVEN VALLEYS BOROUGH
COUNCIL MEETING
Monday, May 6, 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 , Larry Garland, Gregory W. Kinard, Robin L. Venable and Edwin E. Zeigler, Mayor Steven A. Venable, Secretary Cheryl D. Bahn and Solicitor D. Michael Craley. Rebecca Kinard was absent from the meeting. The meeting was held at the Seven Valleys Fire Company, 35 Main St, in Seven Valleys Borough.

Hearing no corrections, President McDonald declared the minutes of the April 1, 2013 meeting approved as circulated.

PUBLIC COMMENT

Mr. McDonald inquired if social members of the Fire Company are covered under Borough's workers comp Policy when they are working in the kitchen, or helping with Bingo. Section 11-4 of the Borough Code states that members of the Fire Company engaging in an activity authorized by the fire Company or by an Officer of the Fire Company are covered under workers comp.

John McDonald noted that an area of the street by 48 Maple Street along side the road has a cut where the water is running under the road and needed to be repaired. He will try to stabilize the area with ballast stones.

ENGINEER'S REPORT

No Engineer's Report.

SOLICITOR'S PORTION OF THE MEETING

In response to " Notice of Rule to Show Cause" why parcel 83-000-FH-110C – should not be sold free and cleared of all liens, mortgages etc. from the Court of Common Pleas, Mike contacted Bill Hast of Stock & Leader, Tax Claim Solicitor, to let him know SVB position that Parcels 110C and 110B have been merged and cannot be sold separately.

Most recently, the 110C Parcel has been removed from Tax Sale as the taxes have been paid.

It appears that the message that 132 Main Street must be sold with both parcels of land making up one property has been heard. Now we are mostly receiving calls from potential buyers with questions regarding use of the property.

Mr. Craley suggested to Mr. Hast that the two parcels be reassessed and put into one property. The Borough can request that the parcels be reassessed with the owners' permission. It is unclear who the owners of the property are due to foreclosure on the property.

Consensus of Council is to wait and see and continue to monitor the situation.

UNFINISHED BUSINESS

Stones have been placed on Mulberry Street to the home owner's satisfaction.

NEW BUSINESS

In 2011, lawmakers approved Act 46 of 2011—the Firefighter Cancer Presumption Law—which designates cancer as an occupational disease for firefighters and enables them to receive workers' compensation benefits if they develop cancer and can establish exposure to certain carcinogens at fire or hazmat incidents during their careers. Because of this change, our insurance carrier is not renewing any firefighter's Worker Comp Policies. As a state agency,

State Workers Insurance Fund (SWIF) is required to provide coverage to all businesses, especially those having difficulty obtaining coverage from private sector insurers. Therefore, we must choose the state to provide this insurance to the Borough. Our agent has checked other carriers, but none are offering this coverage. The coverage is historically more expensive, the application requires a 25% deposit which would be close to \$3,966.50. The annual premium is calculated to be \$15,866.00. The claim filed for David Miller enters into the increased premium. Even though a Judge found that only NCT was responsible, NCT has filed an appeal. While the case is under appeal, the claim can not be closed so it appears on SVB experience rating which in turn increases the cost of the premium. If and when the claim is closed, providing that SVB is still not found as a responsible party, we would receive a premium return, and the experience rating could be adjusted downward.

Motion made by Dietrich/Garland to pay SWIF 25% of the premium with the application as required. Motion carried unanimously.

Motion made by R. Venable/G. Kinard to authorize the Secretary to write a letter of acknowledgement regarding the Rail Trail 10-Miler to be held August 24, 2013, by the Arc of York County. Motion carried unanimously.

FINANCIAL STATEMENT - Period Ending 4/30/2013

PLGIT	\$ 10,029.62
Peoples Bank	<u>\$ 120,442.31</u>
	\$ 130,471.93
PLGIT Balance State Liquid Fuels Fund	\$ 10,859.84

Motion made by R. Venable/Garland to pay the bills listed on the Financial Report as well as to approve, accept and file statement for audit. Also pay State Workers' Insurance Fund 25% of \$15,866.00 or \$3,966.50. Motion carried unanimously.

CORRESPONDENCE/REPORTS/AROUND THE TABLE

1. Lien Collection Report - 6 collected - 5 outstanding. The Refuse Lien on 22 Church St is close to payment and settlement.
2. Review of Zoning/Code Enforcement Report.
3. The \$50.00 that has been reported in the Tax Collector Account for the past 15 years was not money that had been given to the Tax Collector account to prevent overdrafts as was previously thought. It was money that was earned interest from that account and was closer to \$39.00. The interest was turned over to the Borough on a regular basis until the account was changed to non interest bearing. The past few months Sovereign Bank began charging maintenance fee if the account did not maintain a certain balance. The Tax Collector tried to have the money returned to the account, but was not successful. So the Account has been moved to Peoples Bank in an non interest bearing account with no minimum balance as of March 2013.
4. The Sewer Authority report was passed for council to review.
5. On April 20th about 8:30 PM John received a call that water was coming out of the base of the toilets in the ladies room of the fire hall. Upon investigation it was all the toilets and two manhole covers, at the fire hall parking lot and the Valley Tavern parking lot. The pump had stopped working behind the fire hall. John called Roy, with the sewer authority, and he was coming to investigate.

Roy checked the pumps and said they were clogged with rags. (Two pump fail safe system both pumps failed) Roy explained this is not the first time this happened and has been occurring regularly for the past few months. (This time the automatic dialer failed)

Roy pulled both pumps and removed rags from the propellers of the pumps. They appear to be white with a cheese cloth texture. The only thing new in town that may be the culprit is the distillery. Roy stated that the sewer authority is going to bring EPA in to assist finding the responsible party. It took until 11:00 PM to get the pumps running and the sewage levels lowering.

John and Wayne Smith visited the Distillery. It appears that they do use cheesecloth, but that they discard it in the trash. At least they are aware of what happens if any cheese cloth should get into the sewer system.

6. Notice was received that SVB will receive \$1,284.00 for Act 101 Recycling Performance Grant for the 2011 Year.
7. We received a copy of an application to the PUC for Steam into History, Inc. asking for approval from them for the alteration of multiple highway grade crossings of the tracks of the Northern Central railway. Although the railway goes through Seven Valleys Borough, there are no highway crossings within the Borough limits.
8. The Borough was copied on a letter from Springfield Township wrote to Ron Miller asking him to support House Bill No. 708 to amend the Act of May 17, 1921 known as the Insurance Company Law of 1921. Insurers should not be allowed to discriminate against volunteer ambulance services.
9. The Borough has received a copy of 2012 Chapter 94 Report. Mike will review the report.
10. Steve & Robin Venable announced that their settlement should be this month. They will let the Borough know when they are no longer residents of the Borough and submit resignations at that time.
11. Zach Stiles is interested in serving on Borough Council.
12. Comments that the stop sign by the bridge underpass should have a stop bar. John had talked to a Penn DOT inspector about providing a line. It is also interesting to note that the underpass is not a one lane road. Once a person stops, and they can safely enter the intersection, the motorist may proceed, even if someone is coming through the underpass. The sign is not authorized by Borough Ordinance. It was placed there by Penn DOT.
13. John will report street lights to Met Ed that are in need of service.

With no further business to come before council, President McDonald adjourned the meeting at 7:41 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