

MINUTES OF SEVEN VALLEYS BOROUGH
COUNCIL MEETING
Monday, November 1, 2010

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 Larry E. Garland, Gregory W. Kinard, John A. McDonald, Robin L. Venable & Edwin E. Zeigler, Mayor Steven A. Venable, Solicitor D. Michael Craley and Zoning Officer Wayne Smith. Council member Rebecca Kinard and Secretary Cheryl D. Bahn were absent. Also present were Ed Ward, representative from Penn Waste, and Robert James, a resident of South Street

President Krebs informed those present of Mrs. Bahn's hospitalization and wishes for her speedy recovery, a sentiment echoed by all present.

Hearing no corrections, President Krebs declared the minutes of the October 4, 2010 meeting approved as circulated.

PUBLIC COMMENT

No Public Comment.

OPENING OF REFUSE BIDS

Two bids were received, the results of which are as follows:

	<u>Cost 1 year</u>	<u>Cost 2 years</u>	<u>Cost 3 years</u>
Penn Waste	209.40	209.40	209.40
York Waste	225.24	218.76	212.40

Mr. Craley reviewed the documentation attached to the bids and indicated that both were procedurally in order. He also explained the legal obligations of council with regard to accepting the lowest responsible bid. **Motion** by McDonald, seconded by Zeigler, to award a three-year refuse contract to Penn Waste, subject to final review by the solicitor and submission of the appropriate contract and documents. Motion carried unanimously.

ENGINEER'S REPORT

No Report.

SOLICITOR'S PORTION OF THE MEETING

Mr. Craley informed counsel of a notice received from the attorney for an accident victim involved in a vehicle crash at Main and South Streets on August 13th. This is a statutory notice which must be provided to a municipality within six months of the date of an accident if there is any possibility of any municipal liability. It does not imply liability on the part of the municipality at this time. Mrs. Bahn sent a notice to our insurance carrier and they have assigned a claims representative.

Mr. Craley and Mr. Smith enlightened council on the peculiar situation involving the construction of a dwelling on the Chilcoat property off South Street. All documentation submitted to Mr. Smith and MDIA indicated that house was being constructed in the Borough, and all permits were issued and fees paid accordingly. Upon completion of the dwelling, the property owners were informed by York County Assessment that the dwelling was actually constructed in Springfield Township. The Borough and Mr. Craley received identical letters from the Township Solicitor indicating that the Borough must take steps to remedy the situation. Mr. Craley does not feel the Borough has any responsibility, as all actions taken by Borough representatives were done in good faith based upon the express representations of the property owners or their agents. He feels the issue is between the Chilcoats and the township. **Motion** by McDonald, Second by Zeigler to authorize Mr. Craley to respond to the township solicitor's letter as he deems appropriate. Motion carried unanimously.

ZONING/UCC REPORT

Mr. Smith gave the Codes Report. He also indicated that Tri-Community Ambulance has submitted a land development plan. A meeting of the Seven Valleys Borough Planning Commission will be scheduled when comments from YCPC and our Engineer are received.

UNFINISHED BUSINESS

The Halloween Party was discussed and everyone involved felt it was a good thing with many positive comments received from attendees.

NEW BUSINESS

Mr. Kinard reviewed the budget and explained the three scenarios, one with the real estate tax remaining at 0.6 mills, increasing to 0.9 mills, and increasing to 1.2 mills. The impact on the tax increases in terms of dollar value increases was discussed, as well as the potential South Street project. It is clear that the primary reason for the need for more revenue is to pay the debt service for the Maple Street project. Discussion of the Church rent, telephone, and scenarios for a good or bad winter were discussed. **Motion** by Kinard, seconded by Garland to reluctantly approve the preliminary budget as recommended by the budget committee with an increase the real estate tax millage to 1.2 mills. Motion carried unanimously.

Motion by McDonald, seconded by Zeigler, to authorize the Secretary to advertise the preliminary budget and to authorize the solicitor to advertise the 2011 real estate tax ordinance at 1.2 mills. The Secretary shall also put the proposed budget and millage increase on the website. Motion carried unanimously.

FINANCIAL STATEMENT:

Motion by McDonald, seconded by Kinard, to pay the bills as listed on the Financial Report and to approve the financial statement and place it on file for audit. Also to pay \$696.29 to Met Ed, \$248.40 to Lynn Krebs for reimbursement of Halloween party expenses, the current Verizon bill, and anything else the Secretary deems expedient to pay. Motion carried unanimously.

CORRESPONDENCE/REPORTS/AROUND THE TABLE:

Secretary's Report and Trash/Liens Collections were reviewed

Mr. Krebs attended the 10/20 STYCSA meeting. It is anticipated that the authority will raise sewer rates effective on 1/1/11 by 5%-7%. Seven Valleys residents currently pay \$205.00 per quarter. 6 EDU's remain available in Seven Valleys. In September, the authority received correspondence from Mr. Baskett that he no longer wished to reserve an EDU, the authority responded that he would not be permitted to connect if no EDU is reserved or available at the time.

Mr. Kinard asked if we would receive an invoice from York Waste for the outstanding trash invoices. Only time will tell.

With no further business to come before council President Lynn W. Krebs adjourned the meeting at 8:44 p.m. and wished everyone a Happy Thanksgiving. Next Borough Council Meeting will be Monday, December 6, 2010 at 7:00 pm.

Respectfully submitted,
D. Michael Craley, Solicitor