

MINUTES OF SEVEN VALLEYS BOROUGH
COUNCIL MEETING
DECEMBER 5, 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

COUNCIL MEMBERS ABSENT

None

ALSO IN ATTENDANCE

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

ALSO ABSENT

Samantha Craley - Assistant Solicitor

Number of Visitors in Attendance – 9

APPROVAL OF MINUTES

- **REGULAR MEETING HELD NOVEMBER 7, 2022**
 - Motion by Kinard, seconded by Neal, and unanimously carried to approve the November 7, 2022, meeting minutes.

PUBLIC COMMENT

- **David Gonzalez, York County Economic Alliance (Trail Towns Program)**
 - Mr. Gonzalez reported that on behalf of the Trail Towns Program, the Alliance recently applied for grant funding through the York County Open Space and Land Grant Program for a feasibility study on public access to the south branch of the Codorus Creek. Because the study would cover access within the Borough, and because the Alliance is not an eligible applicant, the Alliance has asked that the Borough be the applicant for the \$10,000 request to conduct the study, with matching funds provided by the Alliance, who would also administer the grant. There would be no cost to the Borough. A motion was made by Kinard, seconded by Neal, authorizing a grant application to be submitted in the name of the Borough in the amount of \$10,000 to assist with a feasibility study for the above stated reason.

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- Cory Greene, State Fire Warden & Southern York County Forest Fire Crew
 - Mr. Greene stated that he is a state fire warden and a member of the Southern York County Fire Crew. He addressed the Council and shared their history and purpose, which includes fighting forest fires in southcentral PA, as well as assisting with wildfires across the Commonwealth and in the western states. They currently rent one (1) garage bay from Tri-Community Ambulance for \$800 per year and hold a quarterly meeting at the ambulance building. Mr. Greene stated that if the Borough becomes the owner of the ambulance building (at 11 Main Street) that they would like to remain a tenant. He also indicated that if a second garage bay becomes available, they would be interested in renting it as well, or in lieu of rent, help maintain the property and building. It was explained that if the Borough is to assume ownership of the property it would be several months before that occurs. There were no objections to the fire crew remaining tenants should the Borough take ownership.
- Russell & Patrick Stiffler, 23 Maple Street – Possible Construction of a New Home
 - Patrick Stiffler was present and spoke on behalf of his father, Russell, who was also present. Russell owns a piece of vacant land on Maple Street across from his primary residence, and the lot is approximately a quarter (1/4) acre. Patrick would like to build a home on the vacant parcel and wanted to know what the process was to do so, and to inquire about securing a sewer UDU. Zeigler commented that he was on the planning commission when the subdivision took place creating those lots and that his recollection was that the vacant parcel was attached to 23 Maple Street and could not be used unless it was subdivided and approved by the Borough Council. The Stiffler's will do some research on the deed and subdivision and contact Zoning Officer Jeff Koons to further discuss.

ENGINEER'S REPORT

- No Report.

SOLICITOR'S REPORT

- **2023-2025 REFUSE & RECYCLING COLLECTION CONTRACT**
 - Solicitor Craley reported that the refuse collection contract will be mailed to Zeigler, who in turn will have the contract executed and mailed to Penn Waste. The new contract begins January 1, 2023.

ZONING/UCC/CODE ENFORCEMENT REPORT

- Zoning Officer Koons reviewed the November 2022 report with Council (report is on file) and provided updates on significant outstanding issues.

UNFINISHED BUSINESS

- **MAILBOXES ON PUBLIC SIDEWALKS**
 - Zeigler reported that he spoke to the post office and was informed that if walking and/or vehicle delivery is available out of a post office the post office boxes will be charged a rental fee. If there is no delivery outside of a post office, other than delivery to post office boxes, then the boxes are not charged a rental fee, such is the case with the York New Salem post office. There was also discussion on whether a property owner who is responsible for the maintenance and repair of a sidewalk is obligated to allow a mailbox to be placed in the sidewalk by someone other than the property owner. Zeigler questioned the minimum

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clearance on a sidewalk, which is 36' under ADA law, and that this could be a potential issue when the new curb and sidewalk are installed along the south side of Church Street. Lynn Tracey, a Church Street resident, was present and shared her frustration with a property owner across the street from her residence who will not allow a mailbox to be placed on the sidewalk in front of his home. A motion was made by Kinard, seconded by Ferree, to authorize Solicitor Craley to research the laws/caselaw on the subject of placement of mailboxes on public sidewalks. The motion carried unanimously.

▪ **TRI-COMMUNITY AMBULANCE BUILDING**

- It was reported by Zeigler that the ambulance association is continuing its negotiations with WellSpan to bring an ambulance to the 11 Main Street location. After that has been accomplished, the ambulance association will begin the process of disbursing assets, including the building to the Borough, which must first be approved by the York County Orphans Court. Following a period of discussion, it was the consensus of Council that Zeigler request proposals from commercial real estate property inspectors to perform an inspection of the ambulance building.

▪ **STREET REPAIRS (H&H GENERAL EXCAVATING)**

- H&H plans to complete the requested miscellaneous asphalt patching and laying of stone on Mulberry Street in December, provided the weather cooperates.

NEW BUSINESS

▪ **RESOLUTION NO. 12-2022; PA SMALL WATER & SEWER GRANT PROGRAM**

- A motion was made by Kinard, seconded by Landis, and unanimously carried to authorize the submission of a grant application seeking \$50,000 for improvements to the stormwater collection system, and to authorize Zeigler to sign the grant application and any other related grant documents.

▪ **2023 BUDGET**

- Landis made a motion, seconded by Neal, and unanimously carried to approve the budget for 2023.

▪ **RESOLUTION NO. 11-2022: SETTING OF REAL ESTATE TAX RATE FOR 2023**

- On the motion by Ferree, which was seconded by Landis, the 2023 real estate tax rate was approved, which remains unchanged at 1.20 mills. The motion carried unanimously.

▪ **KLUGH ANIMAL CONTROL SERVICES CONTRACT**

- There was a motion made by Kinard and second by Ferree, to approve the 2023 animal control services contract with Klugh, which passed unanimously.

▪ **YORK COUNTY SPCA AGREEMENT**

- The 2023 SPCA services contract for 2023 was approved on the motion of Landis, second by Ferree, which carried unanimously.

▪ **FLOODPLAIN MANAGER APPOINTMENT**

- Kinard made a motion, seconded by W. Stiles, and unanimously carried to appoint Todd Zeigler as the Borough's floodplain manager.

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FINANCIAL REPORT

NOVEMBER 2022

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

REPORTS

SECRETARY'S REPORT

- Zeigler reported that the formal appointment letter was received from the office of Governor Wolf confirming the appointment of Scott Lackey as the Borough's Emergency Management Coordinator.

MAYOR'S REPORT

- No Report

LIEN COLLECTION REPORT

- There are five (5) current liens.
- The most recent lien filed was for 34 Church Street (ANGDUPE2011, LLC) in the amount of \$610.00 for costs related to rubbish removal and an unpaid fine for not mowing grass.

YCSTSA REPORT

- There remain six (6) EDUs available.

COUNCIL COMMENTS

- Landis mentioned to Mr. Gonzalez that he is a Borough representative on the Trail Towns Program and that he wants to become more involved and hoped that there would be some evening meetings, as he works weekdays.
- Kinard questioned whether we have secured a party to removed snow from sidewalks of delinquent property owners. Zeigler commented that he reached out to Brandon Berkheimer, the person who cuts overgrown grass for the Borough, but that he has not yet had a response. President Stiles stated that he would reach out to Mr. Berkheimer.

ADJOURNMENT

The meeting was adjourned at 8:09 p.m. by President Stiles. The next regular Council meeting will be held on Thursday, January 5, 2023, at 7:00 p.m.

Respectfully submitted,

Todd A. Zeigler
Assistant Secretary