

**MINUTES OF SEVEN VALLEYS BOROUGH**  
**COUNCIL MEETING**  
**JANUARY 5, 2023**

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  
Samantha Craley - Assistant Solicitor  
Jeffrey Koons – Zoning Officer

**ALSO ABSENT**

Number of Visitors in Attendance – 1

**APPROVAL OF MINUTES**

- **REGULAR MEETING HELD DECEMBER 5, 2022**
  - Motion by Neal, seconded by Ferree, and unanimously carried to approve the December 5, 2022, meeting minutes.

**PUBLIC COMMENT**

- **PENNSYLVANIA STATE POLICE**
  - Cpl. Penrose from the York Barracks of the Pennsylvania State Police (PSP) was present to provide a police report for May 2022 through January 5, 2023. He stated that there were 64 calls during that time, of which there were 3 disabled motorists, 6 civil matters (between neighbors), 15 crashes, 3 domestics, 3 thefts, 1 sexual assault, 1 mental health commitment, 1 abandoned vehicle, 3 false alarms, one(1) 911 hangup, 1 security check at a church, 1 liquor control investigation, 1 harassment, 1 simple assault, and welfare checks. Landis mentioned that there was a recent break-in of a vehicle on the Church Street Rail Trail parking lot. Cpl. Penrose stated there has been an increasing number of “smash and grab” incidents along the rail trail and other parking lots in York County. There was a brief period of general questions and answers that followed.

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**ENGINEER'S REPORT**

- No Report.

**SOLICITOR'S REPORT**

- PLACEMENT OF MAILBOXES ON PUBLIC SIDEWALKS
  - Solicitor Craley reported on his research related to the placement of mailboxes on public sidewalks. He stated that there is interplay between federal, state, and local law. There is the public right-of-way for Church Street, which will need to be confirmed by PennDOT whether it includes the sidewalk area that is parallel to the street. If the “public” sidewalk is located on private property, it still remains a right-of-way for the public to walk but is the responsibility of the property owner to maintain. The Borough Code gives the Borough the authority to regulate sidewalks, including the construction and obstruction of the sidewalks. The United States Domestic Mail Manual states that mailbox installations must in accordance with municipal regulations. Solicitor Craley stated that the Council could amend the sidewalk ordinance to require property owners to allow the placement of mailboxes on their sidewalks, but followed up with the comment that he is not sure that the Borough should become that involved. He is of the belief that this is a private matter between property owners. Zeigler reminded Council that that under federal ADA law there must be 36 inches of clearance on a sidewalk for handicap (wheelchair) passage. This will need to be adhered to when new curb and sidewalk is installed on the south side of Church Street (between Main Street and Park Avenue). Neal mentioned that the mailboxes have been placed by a variety of methods (some are bolted to the sidewalk, some are concreted into the sidewalk, some are in buckets and other stone/soil filled containers, etc.).

**ZONING/UCC/CODE ENFORCEMENT REPORT**

- Zoning Officer Koons reviewed the December 2022 report with Council (report is on file) and provided updates on significant outstanding issues, as follows:
  - There were no permits issued for December 2022.
  - 52 Main Street (Henkel) – Mr. Henkel informed Koons that he will not enter a defense at District Court for failing to repair his porch, and that he intends to pay the fine of \$500. It was the consensus that if he pays a fine and continues to not take action to repair his porch that the civil complaints continue to be filed more frequent.
  - Frystown Lane (Oliver) – Storage of a camper on a vacant lot continues. Mr. Oliver did not receive the first violation notice because he had moved and has a new address. He informed Koons that he plans to have it removed by the new deadline of January 10, 2023.
  - 69 Main Street – Five (5) dwelling units with only four (4) sewer EDUs. The owner advised Koons that he does not plan to proceed with seeking a special exception for the fifth dwelling unit and that he will be reducing the number units in the building to four (4).
  - 117 Church Street (Gottshal) – The owner told Koons that he had worked on permitting with the previous zoning officers, Wayne Smith and John McLucas, for the outbuildings. No records have been located by Koons, and Mr. Gottshal has not yet provided any evidence that permits had been issued. Koons was asked to keep in mind the required setbacks, to request a copy of the plot plan that Gottshal claims he had submitted to Smith and McLucas. Koons reported that the existing accessory building is about 5’ from the

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property line, and that the addition extended along the same setback, which is permitted under the Borough zoning ordinance. Koons is planning to have Gottshal submit a new plot plan and zoning permit application for the additions that have not yet received a zoning permit. Bahn stated that there are some zoning files in the Borough office, which will need to be researched to see if any exist for this address. Mr. Gottshal also told Koons that he has a small office in the one outbuilding; Koons informed him that he needed to have that permitted, as well. Stiles raised the point that the property then has two (2) uses; Koons stated that it is an accessory building.

- 23 Maple Street (Stiffler) – Accumulation of abandoned vehicles. Owner told Koons that only one (1) truck is not legal and that the other vehicles are, and that there have not been any brought in recently. Koons also stated that he spoke to Mr. Stiffler about a junked camper in the rear yard, which he said he would have removed.
- Mayor Wagner questioned how far back the Borough can go in time in requiring permits for work that was performed without permits. Solicitor Craley stated that it's difficult because the defendant's argument can be that the Borough officials have known about it for a long time and did nothing about it.

**UNFINISHED BUSINESS**

▪ **TRI-COMMUNITY AMBULANCE BUILDING**

- Building Inspection - Zeigler reported that he sought proposals from commercial real estate inspectors for the ambulance building, and that he received only one (1) proposal for \$600. After a period of discussion, it was the consensus of Council that we contact the roofer who performed roof work on the building in the past and ask for their assessment of the roof. The same would apply to HVAC for the heating and cooling systems.
- Frozen/Burst Pipe – Zeigler informed the Council that over the Christmas holiday, during the deep freeze, a fire suppression pipe in the meeting room foyer froze and burst, causing ceiling, wall, and floor damage. It was discovered that a rug in the foyer was caught under the door, leaving it slightly ajar allowing the cold air to enter the foyer. Tri-Community Ambulance is having the repair work completed through their insurance.
- Wellspan Start Up Service – Ambulance service has begun out of the ambulance building on a limited basis, with the plan to provide coverage seven (7) days a week.
- Wellspan Lease – It was discussed that a lease would need to be entered into between the Borough and Wellspan when the building is transferred. It is unknown whether Wellspan is currently paying rent to Tri-Community Ambulance.

**NEW BUSINESS**

▪ **PA SMALL WATER & SEWER GRANT APPLICATION**

- Zeigler reported that the grant application for stormwater collection system repairs has been submitted. He also noted that the statewide allocation is \$155 million, with a minimum award of \$30,000 and a maximum award of \$500,000, and that he anticipates the grant program to be very competitive.

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▪ **STREET REPAIRS**

- It was reported that H&H Contractors have completed stone work on Mulberry Street, and miscellaneous street patching, and stormwater inlet repairs, at different locations throughout the Borough.

▪ **ARC 10-MILER RUN**

- Motion by Kinard, seconded by Bonas, and unanimously carried to approve the use of Borough streets on August 26, 2023 for The Arc of York County’s Rail Trail 10-Miler run.

**FINANCIAL REPORT**

**DECEMBER 2022**

- Motion by Stiles, seconded by Landis, 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 shared that the Borough received a thank you note from the Valley Tavern for participating in the trick-or-treat night event, and that the Valley Tavern donated the Borough’s contribution for that event to the Lehman Center. He also informed Council that for the holidays, South Penn Code Consultants donated in the Borough’s honor to St. Jude’s Children’s Hospital and the York County Food Bank.

**MAYOR’S REPORT**

- Mayor Wagner reported that the Trail Towns is working to setup a meeting in February and that he is looking for a few members to join in that group. He also reported that the Fire Company elected a new Fire Chief, Albert Buckingham. The new Asst. Fire Chief is Blaine Gerver.

**LIEN COLLECTION REPORT**

- There remain five (5) liens.

**YCSTSA REPORT**

- There remain six (6) EDUs available.
- Solicitor Craley noted that the sewer report indicates that the Borough is \$3,700 in the negative of revenue versus expenses. A bid was received by the YCSTSA in the amount of \$265,000 to replace the Church Street pump station, but the bid was rejected and the Authority will seek grants to assist with the replacement. The Authority is considering a rate increase in Loganville and Seven Valleys Boroughs. He also mentioned that the conference call related to the dispute between Loganville Borough and the Authority is scheduled for next week.
- Mayor Wagner mentioned that the Authority is considering the shut-off of water service to 34 Main Street for non-payment of sewer, but they are not sure that can occur given the property is occupied by a tenant.

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**COUNCIL COMMENTS**

- Ferree discussed an ordinance that is being considered by Hanover Borough that would significantly limit the use of fireworks, including the need for a permit. She asked if Seven Valleys can also pass a similar ordinance. It was stated that Seven Valleys does not have a police department to enforce the local ordinance, whereas, Hanover Borough does.
- Kinard reported that long-term parking continues by postal workers along College Avenue. There is an ordinance that limits parking to 15 minutes during post office hours but there are no signs posted. President Stiles will take care of ordering two (2) signs to be placed along College Avenue. A motion was made by Kinard, seconded by Neal, and carried unanimously authorizing the signs to be purchased and installed.
- Kinard mentioned that someone is again feeding cats on the property of 34 Church Street. It is suspected that it is a resident who resides on Mason Avenue.

**ADJOURNMENT**

The meeting was adjourned at 8:09 p.m. by President Stiles. The next regular Council meeting will be held on Monday, February 6, 2023, at 7:00 p.m.

Respectfully submitted,

Todd A. Zeigler  
Assistant Secretary