

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

The meeting was held at the former Tri-Community Ambulance Building, 11 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 Bonas
Gregory W. Kinard – Vice President
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
Todd A. Zeigler – Treasurer & Asst. Secretary
D. Michael Craley – Solicitor
Samantha Craley - Assistant Solicitor

ALSO ABSENT

Cheryl Bahn, Secretary

Number of Visitors in Attendance – 11

APPROVAL OF MINUTES

- **REGULAR MEETING HELD JUNE 5, 2023**
 - Motion by Ferree, seconded by Bonas, and unanimously carried to approve the May 1, 2023, meeting minutes.

PUBLIC COMMENT

- Wade Gobrecht, Assistant Director, York County Planning Commission, presented an overview of the York Area Metropolitan Planning Organization (YAMPO) 2025 Transportation Improvement Program (TIP). He explained the organization, and their function in developing a TIP throughout the County. The 2023 TIP includes 116 projects over a span of four (4) years totaling \$192,216,794. The Long-Range Plan is through 2045.
- Scott Lackey, Seven Valleys Fire Company, reminded everyone of the 30-day Countywide burn ban enacted by the County Commissioners.
- Bev Kunkle, 62 Maple Street, raised the following concerns:
 1. At 59 Maple Street, fireworks are being discharged too close to other buildings. It was suggested that she call the PA State Police when this occurs, as this is not a Borough ordinance, but state law. It was also recommended that she contact the Borough's State Representative and Senator, if she has concerns with the state law.

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2. A vehicle parks on the street periodically at 27 Maple Street, an area of the street that is not wide enough to accommodate street parking. The situation will be monitored, and a reminder letter will be sent if it continues.
3. She commented that the property owner of 57, 59, 61 & 63 Maple Street brings his personal trash to the property from his personal residence located in Codorus Township. Solicitor Craley stated that Borough ordinance does not prohibit this activity.
- Jessica Valis, 22 Cherry Street, presented to Council the following:
 1. She asked about the status of the proposed Neighborhood Library. She mentioned that United Way Local will install or fill the library for the first time. Mayor Wagner noted that the Trail Towns organization will purchase and install the neighborhood library at a cost up to \$500. He also stated that he is working with the Rail Trail Authority on a location along the trail, preferably at the intersection of the trail and Cherry Street.
 2. Valis suggested that the Borough create their own FaceBook page instead of posting notices on the “*You’re Probably from Seven Valleys if...*” FaceBook page.
 3. She provided an update on the website that she is developing for the Borough as a donation to the Borough. It is nearing a launch date and will be sharing the site with Council and Mayor for input.
 4. Ms. Valis suggested that Council consider a public relations position for the Borough who would maintain a website, a FaceBook page, prepare the newsletter, etc.

ENGINEER’S REPORT

- No Report.

SOLICITOR’S REPORT

- **REAL ESTATE TRANSFER TO BOROUGH – 11 MAIN STREET**
 - No report.
- **STYCSA RATE ISSUE – MEDIATION**
 - Solicitor Craley reported that he has the final version of the arbitration agreement for President Stiles to sign, and that he is in possession of a check from the Borough for its share of arbitration, in the amount of \$2,000.
- **STATE POLICE REPORT**
 - Assistant Solicitor S. Craley provided a report on PA State Police activity in the Borough.

ZONING/UCC/CODE ENFORCEMENT REPORT

- **RESIGNATION LETTER – JEFF KOONS**
 - On June 6, 2023, the Borough received a resignation letter from zoning & codes enforcement officer, Jeff Koons, who cited personal reasons for his departure. Ferree stated that she contacted Koons to find out why he resigned, and she expressed her dismay with Council as to the reason, which she did not share. Ferree also questioned whether President Stiles, Mayor Wagner, or Asst. Secretary Zeigler, contacted Koons to ask why he was resigning. All stated that they had not. She believes that they should contact him and ask him to come return to the Borough. Ferree further stated that she was unhappy that he resigned and that she thought he was doing a great job. She also expressed her concern with the repairs/improvements that require a permit, and that the permits are a money racket. President Stiles disagreed stating that permits fees do not

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cover the cost of zoning administration. President Stiles stated that this is the first time that Council has heard about her specific concerns and that she needs to express them during the meetings. Solicitor Craley commented that it should be kept in mind that this could be an issue of timing for Koons, as he will soon be joining Springfield Township as an elected Supervisor, and that it is possible that he may believe there could be a conflict of interest related to the public sewer. Jessica Valis responded to Ferree by commenting that employers cannot ask why someone is leaving because it violates workplace law, and that may be the reason Koons was not approached (by Z. Stiles, Wagner, or Zeigler). Ferree stated that what people do inside their homes is not any of the Borough's business. Landis commented that he agrees with some of what Ferree stated, but that when it comes to what someone is doing inside of their homes it is a concern for the community when it involves works such as electrical, plumbing, and HVAC. There are many homes in very close proximity to others, and if the work causes a fire or other disaster, it is a concern to the neighbor. He also reminded Ferree that the Borough has adopted the PA Uniform Construction Code (UCC) and that permits and inspections are required for some types of work. A motion was made by W. Stiles, seconded by Landis, to accept Koons resignation. The motion carried, with a "no" vote cast by Ferree.

▪ **APPOINTMENT OF ZONING OFFICER – TODD ZEIGLER**

- A motion was made by W. Stiles, seconded by Landis, to appoint Zeigler as the Borough Zoning & Codes Enforcement Officer. The motion carried, with a "no" vote cast by Ferree.

▪ **MONTHLY REPORT**

- Zeigler provided a detailed written report of zoning & code enforcement for the month of May 2023. There were no questions.

▪ **KATHLEEN EASLEY – 87/89 CHURCH STREET**

- Ms. Easley commented that they replaced a slate roof with a metal roof and that they were required to get a permit. She questioned why she needed a permit when she understood from another property owner that a permit was not needed (by the other person) to install a metal roof. Ms. Easley commented that they were the only ones required to get a permit. Zeigler will research past permit history; specifically, as it relates to roof repair/replacement. Jessica Valis interjected and asked why Council was rushing through this (and other issues). President Stiles explained that Council is not rushing through but that Council is now in the business portion of the agenda, outside of the public comment period, and that he allowed Ms. Easley to ask a question during the meeting. The two (2) properties that are alleged to not need a permit for metal roofs were 50 Church Street and 78 Church Street. It was questioned by W. Stiles whether a shingled roof replaced with a shingled roof requires a permit versus a shingled roof replaced with a metal roof. Zeigler responded that shingle for shingle would not require a permit, but shingle for metal (or any other roof material other than shingle) would require a permit under the PA Uniform Construction Code (UCC). Solicitor Craley explained that the Borough had a zoning/permit ordinance in effect and many years before the Commonwealth of Pennsylvania enacted a statewide UCC. Under PA law every municipality in the Commonwealth must follow the law. There are some matters that fall under the UCC, some under zoning, and in some cases under both the UCC and zoning. Ms. Valis commented that the zoning ordinance was last updated in June 1999 and that

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she thinks the zoning ordinance needs to be updated, as the last update was in 2010. She asked if a meeting could be scheduled by the Ordinance Committee to consider updating the zoning ordinance. Zeigler commented that a full rewrite of the ordinance would cost in the range of \$30,000. He also explained that a zoning ordinance addresses land use and does not typically provide details of what work requires a permit. Solicitor Craley further explained that the zoning ordinance can be amended if Council so desires, but that it does not require a full rewrite.

UNFINISHED BUSINESS

▪ **11 MAIN STREET PROPERTY**

Zeigler noted that since the last meeting, Tri-Community Ambulance had the portable sign stand removed from the premises, the building power washed, and the block walls painted.

NEW BUSINESS

▪ **TEMPORARY HANDICAP PARKING SPACE REQUEST – 57 CHURCH STREET**

Carpenter Fellowship Workshop Church requested that a handicap parking space be installed in front of their church, located at 57 Church Street. A motion was made by W. Stiles, seconded by Neal, to authorize one (1) handicap parking space on the public street, in front of 57 Church Street. The motion carried unanimously. Zeigler will schedule the work to be completed and will remind the requestor that the parking space is not for their exclusive use, but that it can be used by anyone with a valid handicap parking registration.

FINANCIAL REPORT

▪ **MAY 2023**

Motion by Kinard, second 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 reported that PennDOT has invited the Borough to participate in the study process of the intersection of Green Valley Road, SR 616, and SR 214 (in North Codorus Township). An engineering consultant has been contracted with PennDOT and any comments, questions, or suggestions are welcome to be shared with that consultant.

▪ **MAYOR’S REPORT**

– Mayor Wagner reported that York County Parks are “carry in – carry out” relating to trash. However, the County has no objections if the Borough wants to place trash/recycling carts in the Church Street trail parking lot, next to the maintenance building. Penn Waste would provide the carts at no cost, under the Borough’s current contract for up to three (3) public trash containers. A motion was made by Landis, seconded by Ferree, to authorize the placement of two (2) trash/recycling carts at the above-mentioned location. Use of the containers will be monitored to ensure proper use.

– It was also reported by Mayor Wagner that he continues to discuss with County Parks paving the stone crossing on the rail trail that connects Cherry Street (pedestrian crossing only).

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▪ **LIEN COLLECTION REPORT**

- There remain five (5) open liens.
- Zeigler reported that he was contacted by HUD regarding 103 Main Street (Taylor). The property has a reverse mortgage and HUD became aware that there is a lien against the property and that they would like to pay the full lien amount to have it removed. Zeigler emailed the information to HUD (\$2,730.80) and he expects that it will be paid in the coming weeks. Zeigler will also make them aware of the sewer arrears for this property.

▪ **YCSTSA REPORT**

- There remain six (6) EDUs available.
- Solicitor Craley noted from the report that there were seven (7) emergency callouts for the Church Street pump station for bad prime. Wagner noted that he spoke to the sewer operator and that the pump station needs replacement and may happen sooner than anticipated.
- Solicitor Craley also made note of the actual vs budget report, on the following line items:
 - 364 for the pump station - is well under budget.
 - 374 for the collection system - is budgeted at \$1,000 but has already reached \$22,000.
 - 377 for the repairs and maintenance - is budgeted at \$32,000 and is currently at \$25,000.

It was questioned why line item 374 is so far over budget when it would be expected that line item 364 would be over budget.

▪ **COUNCIL COMMENTS**

- Landis raised the question of gas and charcoal grills under the Countywide burn ban. After a period of discussion and reviewing the County burn ban notice, it was determined that the use of gas and charcoal grills are not prohibited.
- Landis also asked whether a newsletter or notice should be distributed announcing Zeigler as the new zoning/codes officer. Zeigler commented that Koons has been forwarding any email/phone correspondence for him to address. Landis and Council were satisfied and chose not to distribute a special notice.
- Ferree noted that she is aware of two (2) properties that erected fences and questioned if permits were obtained. One address is 122 Main Street and 58 Church Street. Zeigler will follow-up on both properties.
- Ferree also stated that she has become aware that the Spring 2023 newsletter had not been delivered to a portion of Maple Street.
- Ferree asked that Council work together to amend the zoning ordinance as it relates to permits.

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ADJOURNMENT

- The meeting was adjourned at 8:20 p.m. by President Stiles. The next regular Council meeting will be held on Monday, July 6, 2023, at 7:00 p.m., at 11 Main Street, Seven Valleys.

Respectfully submitted,

Todd A. Zeigler
Assistant Secretary