

April 7, 2015

HARMONY BOROUGH COUNCIL MEETING April 7, 2015

COUNCIL MEMBERS PRESENT: Phyllis Metz, Frank Luek, Dave Szakelyhidi, Greg Such, Jarod Stewart, Don Sims, Jason Sarver, and Mayor Cathy Rape.

OTHERS PRESENT:

Harmony Boro Council Meeting ✓
April 7, 2015

FRANK GRANNON

Cathy Rape

Suzanne Atkinson

Michelle Barks

Josh MEEDER

Don Sims

MIKE CORNELL

Phyllis Metz

John Ruch

Jim Miller

Bill
GREG SUCH

Diane Brenner

DAVID BUCKLER

Howard

Sandy Ferraro

ALAN BAYE

JOE GENCO

Joe D'Amico

Chris Applegate
Frank Hill
Dana White

April 7, 2015

CALL TO ORDER:

A quorum was reached and President Greg Such called the April 7, 2015 Council Meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE:

MINUTES:

In a motion made by Don Sims and seconded by Frank Luek, the Harmony Borough Council unanimously approved the March 3, 2015 minutes as presented.

SOLICITOR'S REPORT:

Solicitor Matt reported on the Zoning Ordinance, he has found several areas that he recommends pulling out that can stand alone ordinances. Noise, odor, air, and water pollution, can all be tied into one nuisance ordinance. The garbage, forestry, not sure if it would apply here; we can remove it or we can have a separate ordinance, the other one would be signs. Council agreed to leave the forestry alone and have Matt bring back the Nuisance, Garbage and Sign Ordinances for next month's meeting and move forward with the process of having the public hearing.

Matt reported on the response from the letter he sent to PCI regarding fire inspections. PCI basically stated that they don't have the time to do the fire inspections; under the Ordinance they would be the ones to do the inspections. Greg Such stated we have a couple alternative organizations that could do the fire inspections.

Matt also gave an update on the Flood Plain Ordinance, the draft came out about 8 months ago; there's no deadline set by FEMA yet because the new floodplain map has not been adopted. The new deadline will not be set until the new map has been adopted. The last time Matt talked to FEMA they thought the deadline would be sometime in February 2016. Don Sims inquired on Greg Such's comments; Don would rather wait to see what we have after the changes are made. Matt also stated he just received comments from Bill Hummel (the Borough's Engineer). Matt will implement the changes and email them to Council and have discussion next meeting.

Greg Such stated an executive session will be needed at the end of the meeting to discuss pension and other things.

COG:

Greg Such reported Doug Smith with the Butler County Transportation will be speaking at the April 9th COG meeting at the Cranberry Road Building.

BOARD REPORTS CONT.:

HARB:

Dave Szakelyhidi reported that HARB submitted a letter to council that read they voted to retain their current members and positions.

Brett Shank, President (Architect)

Delsa White, (Resident)

Jane Skelley, Secretary (Resident)

Sandy Ferrainola (Real Estate)

Kathy Luek, Vice President (Resident/Harmony Museum)

Jodi Correll (Resident)

Al Bayer (Harmony Borough)

In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the ratification motion to retain the current memberships and their positions. Greg Such thanked Delsa, Sandy, Allen and everyone else on HARB for all they do.

Dave Szakelyhidi also reported on three Certificates of Appropriateness that HARB approved and recommended to Council.

Harmony Inn – Approve existing exterior path lights at the top of the stairs that were already put in, it's a black light with a clear globe. A new historic brick wall on Wood Street, flower area to remain; remove elevated wood deck platform at beer garden and install new level brick paver; remove existing wood side entry platform and stairs, replace with 30" wider wood platform and stairs. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for the Harmony Inn.

Harmony Inn – Approve a seasonal tent approximately 20'x40' at existing outdoor beer garden, natural canvas color sailcloth. Resident, Diane Brenner objected to allow a circus tent in the middle of a historic town. Delsa White, HARB member, commented that the Inn's owner is concerned about the two tall trees drawing lightening too close to the building, he would like to have the trees removed; losing shade from the trees at the beer garden,(Dave Szakelyhidi commented and the tree roots, tripping hazard) the owner is requesting approval to erect a tent. The tent could also be used for events such as receptions. Vice President of Council, Don Sims inquired about the fireplace in relation to the tent. The fireplace will not be under the tent. Allen Bayer, Zoning Officer, commented that the tent has a few peeks; natural in color will go over the patio area out to the fountain. Resident/Business Owner, Josh Meeder commented that he thinks the tent would be in good taste. He trust Bob (Harmony Inn's owner) to do the right thing for the town, he has been very conscientious so far. John Ruch commented that Council would make a mistake to approve it without looking at what's being approved. Jodi Correll commented it was a tent or large umbrellas. Pictures were delivered for Council to review. In a motion made by Frank Luek and seconded by Don Sims, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for the Harmony Inn.

BOARD REPORTS CONT.:

HARB CONT.:

Harmony Borough – Move the existing granite sign from the Triangle to the poured pad by the bridge/visitors log cabin on Main Street. New side material to be determined to cover rough edge and to be approved by HARB. Pat Boylan is moving the granite sign for free. Mayor Rape thanked Tom Haus for pouring the pad for the sign and the park bench that is to go next to the cabin, for free. Discussed the sides of the existing sign, Delsa White inquired if the artist is still around. Delsa commented that if you're going to change somebody's donated work to the town, it is important to consult with the artist before changing it. Mayor Rape is to contact the artist, Paul Chamara. Frank Grannon inquired if that was railroad property. Dave Szakelyhidi commented that 15' was transferred to the Borough. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council approved the Certificate of Appropriateness for the Harmony Borough.

Water Authority:

Dave Szakelyhidi reported quotes have been received and approved on the Wood Street waterline replacement project. The Water Authority will pay their share for paving; the Borough would need to wait until the waterline project is complete before paving Wood Street. Jodi Correll inquired if this work on Wood Street is going to happen. Greg Such responded that the plan is to pave Wood Street this year.

Parks Board:

Susie Altemus requested the \$1,500 in the General Fund for Contributions – Community Park be used for the fireworks for the Summer Concert Series. In a motion made by Phyllis Metz and seconded by Frank Luek, the Harmony Borough Council unanimously approved the transfer of \$1500 from the General Fund into the Parks Board Fund to be used for the fireworks.

Susie also reported that the Hop for Hope 5K that Devin Kane held as a senior project had 76 runners. Mike, Phyllis and Greg did a great job with traffic control; we didn't have any trouble. The cones on Mercer Street worked well; it kept all the runners inside the cones where traffic on the outside could pass. The Zelig Fire Police purchased great big road signs that said "runners ahead" with blinking lights; that was a big plus. Greg Such commented that they did that mostly for us.

Mike Cornell reported on the Refuse to be a victim seminars, Mike would like to hold a four hour Personal Safety and Security Seminars on Saturday mornings, at the Borough building. The seminars would be free to Harmony Borough residents, and \$25.00 to non-residents. The first seminar will be May 2nd and the second seminar will be June 20th from 9:00 am to 1:00 pm. Mayor Rape inquired if you would need to attend both seminars. The seminars will be the same. In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the Personal Safety and Security Seminars on May 2nd and June 20th.

BOARD REPORTS CONT.:

Planning Commission:

Frank Luek reported that they held a reorganizational meeting, Joe White is President again, Jeff Byko is Vice President, Chuck Welsh and Frank Luek are members. Darla Herr resigned. Frank thanked Darla for her many years of service. The Planning Commission is looking for a new member. They meet the 3rd Tuesday of the month.

Western Butler County Authority:

Harold Herr had nothing to report.

Shared Services:

Greg Such had nothing to report.

Parking/Signage Events:

Greg Such reported that a resident sent a note requesting the canoe sign be put back up on the corner of Main and Jackson Street and that we add a dead end sign there. Frank Luek commented that if a Canoe Launch sign is put up, we don't need a dead end sign there, you can look right at it and see it's a dead end. The sign must be on its own post, it would be in the Borough right-of-way. Frank Grannon commented the problem is to put a No Outlet sign, it would block the street light and residents are complaining about no light down there anyway. Council agreed not to put a Dead End or No Outlet sign up. Don Sims commented if you can put a Canoe Launch sign up on its own post, do so; do not interfere with the Commonwealths street sign. Frank Grannon commented that there has to be 7' from the bottom of the sign to the ground. Solicitor Matt inquired if the sign can go on the opposite side of the street. Frank Grannon commented it would block the street light. Solicitor Matt recommended since it's not an emergency, the street guys go out and see what they can come up with; what options are there. Greg Such requested Frank Grannon to get a price on the Canoe Launch sign.

Historic Harmony:

John Ruch had nothing to report.

Fire Company Report:

Frank Luek reported that he did not make the last meeting but the committees are working on a budget; there will be another meeting this month.

Creekside Report:

Council President, Greg Such reported that he added Josh Meeder to the agenda to talk about what's been going on with the Creekside Development; or the opposition to the Creekside Development.

Josh Meeder reported there has been 2 or 3 meetings with about 60 residents/business owners concerned about development of Creekside, not even the Development but the situation everyone is aware of they're putting in Murphy Tractor from Cranberry on Rt. 19 across from the carwash. They've filed a permit to

BOARD REPORTS CONT.:

Creekside Report Cont.:

push that dirt into the floodplain destroying the trail, covering wetlands and affecting the stream. Don Rodgers at the Jackson Township meeting said he would put the Trail back at some point, but past that there has been no development plans submitted to Jackson Township or the Butler County Planning for Creekside Manor, the proposed housing going in there. The focus on this group is solely to stop the fill going in to the floodplain. They are not against the Murphy Tractor development or anything other than the destruction of the trail, wetlands and the flood plain. They have elected an organization, formed committees, they're working through it, not fully formed yet. They do have representation that has been involved with the DEP on some of the permits submissions. If anyone is interested in hearing more there will be a public meeting on Thursday night at 7:00 pm at the Center of Harmony in the Opera Hall.

Police Report:

Submitted via email.

Office:

Amy Brown had nothing to report.

Borough Supervisor:

Wade Ion was unable to attend the meeting. Frank Grannon reported they've been working changing out the street lights. Greg inquired if the Peoples Gas letter requesting our paving schedule was replied to. Frank responded that Wade replied to that letter.

Zoning & Code Enforcement:

Allen Bayer's report attached.

Greg Such reported that there is a variance hearing scheduled April 20th for 309 Monroe Street. Greg stated the variance is for a 75' lot with the white house and a 65' lot next to it that would be sold and built on. Jarod Stewart inquired if another variance would be needed to build because it doesn't meet the setbacks. Allen Bayer, Zoning Officer responded that it would meet the setbacks. The request is for a 65' lot to construct on. They can put up to a 40' home on the lot and meet the setbacks. Greg Such inquired while the Borough is considering the new floodplain ordinance that we have to put in place, does the Borough need to notify the home owner that it may impinge on any building plans for whoever buys that lot. Other Council members commented that the lot already is in the floodplain. Solicitor Matt commented that the Borough has no legal obligation but could do it as a courtesy. Allen Bayer, Zoning Officer commented that Chapter 8 the way it is written now is very stringent, we would like to print Chapter 8 and give it to the property owner to pass on to the buyer.

OLD BUSINESS:

Personnel:

Greg Such had nothing to report other than the Pension meeting in executive session.

OLD BUSINESS CONT.:

Finance:

Jarod Stewart reported the audit has been completed. Standard comments every year, talk about internal controls, we do not have a large enough office to address the accounting control type issues. Jarod spoke to one of the auditors last month and stated based on some of their concerns the Borough is willing to accept the risk they do not need to put it in the audit report, but it still shows here. They have a comment that we do not provide correct financial footnotes; we don't have the accounting staff; or expertise on the accounting staff. No concerns on the audit report.

Streets:

Frank Luek had nothing to report. Frank Luek thanked Frank Grannon for filing in potholes.

Greg Such reported that he asked Jason to lead the Truck Traffic Committee. Jason will send out via email to members on the committee to come up with some ideas; and go from there.

Public Safety:

Phyllis Metz reported that the Mosaic, submitted their certificate of insurance; and their maps, we're good with them, it's not until September.

The Tour de Cure (diabetes) sent in their Event Form. Phyllis needs to contact her for the streets; the only one in Harmony is Mercer Street. The only thing we'll have to do is put out a Swift Reach announcement.

The Pediatric Brain Tumor Event Packet was turned in tonight; will do a Swift Reach announcement on that as well.

Greg Such reported on the Library Wine Walk, it is a fundraiser for the Library. Greg read the letter (attached). It is to be held July 17th. Michelle Beitko, representative for the Library. Michelle commented that it is her and Susie Altemus's brainstorm/idea; she stated these wine crawls are pretty popular. Local wineries will come in and set up, they have their own bartenders who are licensed and insured; they will give samples of their wine and samples of appetizers like cheese and crackers, apples and grapes to go with it. They'll have acoustic guitars, and local art. There will a map so people can spread out and not all go to the same one. Solicitor Matt commented that he doesn't have a problem with the event per say, as long as the Borough is not involved, not participants with the event other than permitting them to use the town. John Ruch commented that at HBA they discussed having the tasting around town and sales in one location. Solicitor Matt commented that alcohol is dangerous as far as a liability issue. Phyllis is to contact Jan at the Library to submit an Event Form.

OLD BUSINESS CONT.:

Facilities:

Dave Szakelyhidi inquired about the alarm system for the Borough building; talked about putting a fire alarm and panic button in. The Water Authority had an intrusion alarm for years and authorized to add a fire alarm and panic to it. Dave thinks the Borough dropped it when Jim Hulings gave his resignation. He stated there's no fire alarm for the Borough Building. Don Sims recommended waiting until next week for the Facilities Committee meeting.

Business Development:

Greg Such had nothing to report.

Mayor Cathy Rape requested permission to order the sign. She reported that we need half the money to order the sign and the balance when the sign is complete. As of tonight she's collected \$3500 and another \$1750 is spoken for but isn't in the office yet. The Borough agreed to put in \$1,000 or \$2,000. If Cathy can get that money she can order the sign tomorrow. She's really hoping for the Tourism Grant because that would be another \$5,000. Dave Szakelyhidi inquired if there is a no prejudice clause. Dave stated you can't get a grant for money you already spent. Greg commented that the total money received/pledged is \$6750 and the total cost of the sign is around \$10,000; we're short. After discussion, it was determined to wait until the grant is awarded.

Grants:

PUBLIC COMMENT:

Claire Spink – inquired what to do with yard waste. Phyllis Metz suggested putting it in with her garbage. Greg Such reported that limb pick up will be starting in May.

Laura Ebbert reported that on March 14th the Indian Brave Campground flooded; a beaver dam was built in the end reservoir. She was asked to let all the communities know; she's been to Jackson Township and to Zelienople, she has concerns on the developments in the area. The end reservoir was cut open and drained in January 2011, she hasn't flooded since until March 14th; the reservoir is beneficial because the water has somewhere to go. If the end reservoir was turned into a permanent retention pond, Laura thinks Harmony would not flood.

NEW BUSINESS:

Training and Conferences:

Greg Such reported there are several that PSAB puts out. Where appropriate Greg has asked Amy do any webinars that they do.

Personnel:

Greg Such had nothing new to report.

Finances:

Jarod Stewart had nothing new to report.

Streets:

Frank Luek had nothing new to report.

NEW BUSINESS CONT.:

Public Safety:

Mason the Series contacted the Borough to film here again. They are looking for a wine cellar; Greg suggested they contact the Bakery and Museum. They would like to film in the Square and side streets. They submitted dates they would like to film, the only concern was on Memorial Day Week-end, Greg pushed back on that a little bit. Greg inquired if we wanted them filming here. They are to submit an Event Form, and Certificate of Insurance.

Facilities:

Dave Szakelyhidi had nothing new to report.

Mayor Rape commented on the complaints on the street lights. If it's on a pole, it's Penn Power's and you need to call them. Penn Power will need the pole number; it's a little aluminum tag on the pole, if there's not a pole number on that pole, go to the nearest pole and give that number. Or give the house number. The Borough can't do anything about that, and it's best to come from the complainant.

Business Development:

Greg Such had nothing new to report.

Mayor Rape inquired if the Borough was up for having a float in the Zelenople parade on May 30th. The deadline is May 15th, Mayor asked Council to think about it and bring it up at the May 5th Council meeting.

Mayor also reported that Jackson Township is holding neighborhood planning meetings on Tuesday evenings, April 14, 21, 28 and May 5 & 12 on their Comprehensive Plan. Please let your Jackson Township friends and neighbors know.

Greg Such, President, announced that limb pick-up will start the first Thursday of May, May 7th; call the Borough office to be put on the schedule.

Greg also reported that it is time for another Newsletter; he would like to have it out by the end of April.

Grants:

Greg Such had nothing new to report.

Other:

Greg reported that the Borough has been requested by the group Josh (Meeder) is heading up to repeal Resolution 3-2-04, the Resolution was read for the public; Council members received a copy in their packets (attached). Jarod Stewart inquired if this Resolution means anything. Solicitor Matt commented that it was probably needed at the time for submittals to move the development forward in '04.

April 7, 2015

NEW BUSINESS CONT.:

Other Cont.:

John Ruch commented that in 2004 it was for a development that included the Harmony Borough section of that property, there is no plan to build in Harmony Borough now because of his retaliatory stance against Harmony; it makes sense to John to repeal the Resolution; it has no meaning at all anymore.

Solicitor Matt recommended no action at this time, he will explain in executive session.

BILLS PAYABLE:

Greg Such reported that the following lists of bills were presented to Harmony Borough Council for approval:

General Bills Payable in the amount of **\$11,975.43**

Bills Already Paid in the amount of **\$13,777.42**

Payroll in the amount of **\$8,364.58**

Parks Board Bills Payable in the amount of **\$100.64**

Parks Board Bills Already Paid in the amount of **\$20.48**

Silvester Bills Payable in the amount of **\$1,500.00 ***

In a motion made by Phyllis Metz and seconded by Don Sims, the Harmony Borough Council unanimously approved all bills for payment as presented on the lists.

*Under the Parks Board Report, Council approved transferring the \$1500.00 from the General Fund to Parks Board Fund to pay for fireworks.

EXECUTIVE SESSION:

Greg Such called for an executive session at 8:45pm to discuss pension and litigation; out of executive session at 9:30 pm.

ADJOURN: 9:30 PM

As there was no further business to discuss, the Harmony Borough Council adjourned the April 7, 2015 meeting.

Respectfully Submitted,



Amy Brown
Secretary

Monthly Activity Report
Harmony Borough Code and Zoning Enforcement and Residential
Multi-Unit Dwellings Fire Inspection

March 2015

1. Stopped by the office a few times each week to pick up mail and sign violations.
2. Attended March Council and HARB meetings.
3. Returned several phone calls to real estate agents and residents pertaining to property zoning, code and building permits.
4. Processed Fox's Pizza sign permit.
5. Inspected Pump House clutter at US Liner.
6. Discussed allowable pigeon coup at 132 Old Little Creek Rd. with resident.
7. Notified Tom Tomayko to attend May HARB meeting.
8. Created and processed US Liner rubbish violation.
9. Stopped by US Liner to take pictures of the violations.
About half of the problems with the skids and dumpsters had been corrected and an employee was working on the issues at that time.
10. Inspected US Liner violations mitigation status. They appear to continue to work on cleaning the property up.
11. Per complaint received regarding snow removal on Mercer, Main and Grandview I inspected all properties. I found that there were no issues probably due to the warm temperatures on the previous day.
12. Spoke with Melinda Stevenson regarding a home construction on a lot at 311 Monroe St.
13. Met with Ann McGee, 309 Monroe St. to discuss sale of open property lot, 311 Monroe St., next to her house. The lot is not 75 feet wide which is required for new home construction. Reviewed survey of property and made several

suggestions of how to proceed with the lot. Ann has filed for a hearing with the Zoning Hearing Board for a variance allowing home construction on the lot at 65 feet width.

14. Created House Numbering violation template.
15. Received call from Wirtz Rodgers, VP Strategic Development of US Liner, to say most of the cleanup was done. They have a new VP of Manufacturing at that location who will insure the site remains orderly.
16. Filing and administrative work.

Respectfully submitted,
Allen E. Bayer



The Zelenople Area Public Library

227 S High Street
Zelenople, Pa 16063
724 452 9330
www.zelenoplelibrary.org

March 30, 2015

Borough Council
Borough of Harmony
217 Mercer Street
Harmony, PA 16037

Re: Wine Tasting Tour - July 17, 2015

Dear Borough Council:

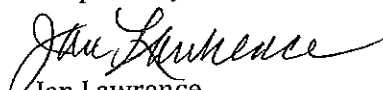
The Zelenople Public Library is requesting permission to hold a fundraiser in the Borough of Harmony on Friday, July 17th in partnership with the Harmony Business Association and Historic Harmony with a wine-tasting tour. The tour would start at 5:00 p.m. and conclude at 8:00 p.m. at the Bottlebrush Gallery for a concert.

The event would entail selling a wine glass that visitors would then take on a walking tour of the borough where local wineries would provide a sample of their wine. At each stop, we hope to have local musicians. The tour gives the merchants and the museum the opportunity to promote their businesses.

Grove City has held wine tasting tours over the past few years. It has grown significantly bringing nearly 1,000 visitors to the town. We hope that this wine-tasting tour will be just as successful and the Borough of Harmony will benefit from the promotion of your charming town.

We request permission to proceed as soon as possible, as there is much planning to do. If needed, we will provide our certificate of insurance. If you have any questions, please contact me at the phone number listed above or via email - jlawrence@bcfls.org.

Respectfully submitted,


Jan Lawrence
Library Director

Cc: Wine Tasting Tour Committee - Susan Altemus and Michelle Beitko

BOROUGH OF HARMONY
Butler County, Pennsylvania

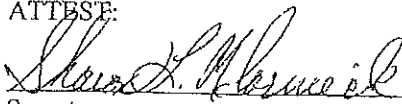
RESOLUTION NO. 3-2-04

BE IT RESOLVED, that the Borough of Harmony, Butler County, Pennsylvania (the "Borough") hereby approves the Creekside Manor Development Plan (the "Plan") submitted by TCDR Associates (the Developer") subject to the terms and conditions contained in this resolution, which shall be considered conditions precedent to final approval of the Plan:

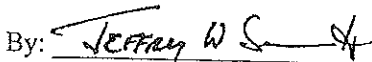
1. The Developer must submit bonding in a form and amount satisfactory to Borough's engineer and solicitor; and
2. The Developer must execute and deliver to the Borough a properly executed Developer's Agreement in form satisfactory to the Borough's engineer and solicitor; and
3. The Borough hereby gives notice that in approving this Plan for recording, the Borough has not accepted nor will accept dedication of any streets, land or public facilities and has no obligation to improve or maintain such streets, land or facilities.
4. Additional Approval Conditions:
 - A. Complete a traffic study to see if a four way stop sign is necessary at the intersection of Mercer Road, Old Little Creek Road, and the entrance to the Creekside Plan.
 - B. Plan Lighting and Sign details to be provided and approved by the Borough.
 - C. Correct parking plan to ensure that all parking is within 100 feet of building.
 - D. Correct fifty (50) foot setback from the creek.
 - E. Obtain WBCA approval for the plan.

BE IT RESOLVED, that upon approval of any such motion, the officers of the Council of the Borough and each of them are hereby authorized and directed to perform all other acts and do all other things and to execute and deliver all such agreements, instruments and documents, and authority to carry out, give effect to and consummate the transactions contemplated by any such motion.

ATTEST:


Secretary

BOROUGH OF HARMONY

By: 
President

Dated: March 2, 2004