

June 7, 2016

# HARMONY BOROUGH COUNCIL MEETING June 7, 2016

**COUNCIL MEMBERS PRESENT:** Phyllis Metz, Dave Szakelyhidi, Greg Such, Joe Dippold, Don Sims, Jason Sarver and Mayor Cathy Rape.

**OTHERS PRESENT:**

*Council Meeting*

*June 7 2016*

*JASON SARVER*

*Joe Dippold*

*WADSWORTH*

*Cheryl Walsh*

*Bill Puryear Walsh Equipment*

*John Rice*

*[Signature]*

*Cathy Rape*

*Jim Mull*

*Greg Such*

*Joe Whith*

*Allen BAYEC*

*FRANK GRANNON*

*John Ruch*

*Kelly Sienkiewicz*

*MARC SIENKIEWICZ*

*Phyllis Metz*

*Sandy Ferrarino*

*Susi Altman*

*Americo Alexotte*

June 7, 2016

**CALL TO ORDER:**

A quorum was reached and the President Greg Such called the meeting to order at 7:00 pm.

**PLEDGE OF ALLEGIANCE:**

**MINUTES:**

In a motion made by Don Sims and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the May 3, 2016 minutes.

**SOLICITOR'S REPORT:**

Solicitor Matt reported on the Armstrong Franchise Fee, the FCC Federal Cable Act now includes any provision of free or discounted services in the 5% cap. The amended Franchise Agreement deletes the paragraph that says they will provide Harmony Borough with free services. Mayor Rape inquired when the contract/agreement ends. Solicitor Matt responded it is a 15 year agreement, it was entered in 2004. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the Amended Franchise Agreement. The original agreement listed four free service addresses, 217 Mercer Street (Borough Building), German & Spring Street (Borough Garage), Nickle Road (Water Plant) and Main Street (Fire Department). Matt will have Armstrong eliminate the Fire Department; the Borough wouldn't provide their services, especially since the merger. Amy is to let the Fire District know that the Franchise Agreement was changed due to a change in the law and the free services will discontinue.

**BOARD REPORTS/APPOINTMENTS:**

**APPOINTMENTS:**

Greg Such reported on the potential new Emergency Management Coordinator for the combined Harmony-Zelienople area. That appointment is of John Koranic; he was unable to attend this meeting due to Reserves. Dave Szakelyhidi and Joe Dippold met John. Dave Szakelyhidi stated he is a nice young fellow who has a lot of schooling and background. Zelienople is in favor of John's appointment. In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the appointment of John Kovacic as the Emergency Management Coordinator. Greg Such signed the application form and it will be sent to Zelienople then to the Governor.

**COG:**

Greg Such had nothing new to report.

**HARB:**

Dave Szakelyhidi reported that a quorum was not present; no action taken.

**Water Authority:**

Dave Szakelyhidi reported that the taps are in on Monroe Street; still need to tie in at the other end. There have been a lot of positive comments on the guys working on this project.

**Parks Board:**

Susie Altemus thanked the guys for cleaning out the Canoe Launch. Chris Rearick is requesting a letter of support for Jackson Township's grant application. Parks Serve sent an email requesting information for parks, trails, open space, cemeteries and bicycle trails in our community to be put on a national map of parks, Susie will look into. Susie reported they put a lot of mulch down at Wood Street Park (26 yards). The Wine Walk is coming up on July 15<sup>th</sup> to benefit the Zelenople Library; there are only about 100 tickets left.

**Planning Commission:**

Frank Luek was unable to attend. Joe White reported that the new owners' of Knauff Feed Mill, Mr. & Mrs. Hewlett are inquiring about the status of Wood Street Alley. The alley is on borough maps as early as 1892, shown as an extension of Wood Street across German Street forming the boundary now between Knauff's Mill and the house on the other side of the alley. Joe White stated that the Hewlett's went on to say there is no formal description of Wood Street Alley that clearly gives location, dimension, etc. in the public record including the borough office. Joe White stated he talked to Solicitor Matt and vacating Wood Street Alley would resolve the problem; it would need to be presented to the Hewlett's. Solicitor Matt commented that it sounds like it is a paper alley; we need to confirm there are no utilities in it. We may need to have Bill Hummel give a legal description based on the maps; once Bill gets Matt the legal description Matt can present the Ordinance and vacate the alley. The alley would be split in half to the owners on both sides and it would get added to their deed. Joe will ask both property owners if they are in favor of vacating the alley. Matt stated there would be a small cost, it would need to be advertised, could pass the cost on to the property owners; Joe is to also talk to the property owners regarding the cost.

**Western Butler County Authority:**

Greg Such had nothing new to report, next meeting is Thursday (June 9<sup>th</sup>).

**Shared Services:**

Limb Pick-Up – Wade commented that people are taking trees down and putting the entire tree out for pick up. Wade requested a note be placed in the Newsletter that Limb Pick Up is not meant for entire trees, the intent of service is tree limbs that fall or get blown down.

The Line Stripper is set up for two guns now; Zelenople wants to borrow it.

**Parking and Signage:**

Approval of the Wood Street parking Ordinance #416 created to help with traffic flow. Don Sims stated this is to the benefit of two businesses; we already have a Parking Ordinance in place. Don would like to propose the two businesses cover the attorney cost and advertising cost.

**Parking and Signage Cont.:**

A motion was made by Don Sims and seconded by Dave Szakelyhidi to authorize advertising Ordinance #416 contingent upon reimbursement by the business owners, of any legal fees and cost of advertisement.

Roll call vote: Phyllis Metz – yes  
Dave Szakelyhidi - yes  
Joe Dippold – no  
Don Sims – yes  
Jason Sarver – no  
Greg Such – no

Tie vote, Mayor Rape voted no. Motion failed.

In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the advertisement of Ordinance #416 (at the Borough expense).

**Historic Harmony:**

John Ruch reported that the PA Historic Preservation Board recommended the Mennonite Meetinghouse and cemetery be added to the National Register of Historic Places. The Herb & Garden Fair and the Fiber Art Fair will be Saturday, June 11<sup>th</sup>; the Business Association is also having their Spring Festival and the Fleatque the same day. The 1<sup>st</sup> Friday Event will be July 1<sup>st</sup> and will be ice cream. Lenzner Coach Tour will be coming Tuesday with about 20+ people. The significance of the Mennonite Meetinghouse is it was the first Mennonite church west of the Alleghenies, it is now an island surrounded by encroaching development.

**PUBLIC COMMENT:**

**Kelly and Mark Sienkiewicz – 114 S. Division Street** - Kelly Sienkiewicz reported they purchased the property last April, they have discovered that a storm drain on the property is washing away ground on the side of their in-ground swimming pool; it is compromising the integrity of their pool. Kelly had called the Street Department and asked Wade to look at the drain; Wade said he would need council's approval to go on private property. They are here tonight to ask for permission to have Wade look at that grate. Greg Such inquired if the Borough looked at this last year. Dave Szakelyhidi stated that he and Frank (Grannon) looked at that drain last year. Dave stated that it appears that everybody has run their drainage down to the catch basin on Division Street. Dave commented we do not know whose underground pipes are whose but the one they are referring to goes under their deck; it's definitely not the Borough's. Not sure when it was put in, probably before the pool. Kelly Sienkiewicz asked if they could look at the as-builts. Wade and Amy stated they do not think there are any as-builts in the borough office. Solicitor Matt commented that it is very common that it is a private owned drain. Property owners have a problem with their drainage so they dig and put a pipe in. We can look but the Borough may not have any documentation. Dave Szakelyhidi commented that if it was Borough owned it would be in the Borough's right-of-way or the Borough would have an easement on their (Sienkiewicz's) property. Solicitor Matt stated that would have shown up when they did the title search and saw their deed and survey. A utility easement would typically be on there so you wouldn't be

**PUBLIC COMMENT CONT.:**

**Kelly and Mark Sienkiewicz – 114 S. Division Street**

surprised by a municipal sewer drain. If it isn't on any of those documents, and the Borough doesn't have any record that it exist or that they put it in, and it's not serving any municipal purpose Matt's assuming it's not municipal owned. Dave Szakelyhidi commented that the Borough isn't going to go on their property and put a pipe in under their deck. Kelly Sienkiewicz also commented on the smell of sewage after a rain event. Dave Szakelyhidi stated that WBCA should have checked the downspouts when the property changed hands. Don Sims commented that some houses, depending on the age of the house do not have normal traps installed in the basement floor drains. Solicitor Matt stated that if it's a sewage issue, that is a different board who handles that. He suggested contacting the sewer board and inquire if a dye test was done, they meet Thursday (June 9<sup>th</sup>) at 7:00. Greg Such stated that they could look at the Borough records to see if that is a public owned drain but if it's not Borough owned, we cannot take responsibility to fix it. Kelly Sienkiewicz stated she would like to dig through the as-builts; she feels it was put there by the Borough at some time; it's made just like the street one that is borough owned. Dave Szakelyhidi commented that maybe the house behind theirs put the drain in. Kelly inquired if they are allowed to hook into a public drain line. Solicitor Matt stated now everything is regulated, years ago there was no regulation, not sure who put it in.

**Andrew Orient – HBA** – Andrew reported that they would like to have the 2<sup>nd</sup> Annual Jazz Festival the last week-end in August with a parade to be on Saturday, August 27<sup>th</sup> requesting to close Mercer Street to Wood Street during the parade. Phyllis Metz stated they would need to get an Event Form to her and be put on the agenda for approval.

**John Rice – 415 Liberty Street-** Public nuisance, street light shining in his and Jason's (Sarver) houses. Dave Szakelyhidi commented that they have a work order, just have to do the work.

**BOROUGH STAFF REPORTS:**

**Police Report:**

Report submitted via email.

**Office:**

Amy Brown had nothing to report.

**Borough Supervisor:**

Wade Ion reported that all the street lights have been changed; the top soil for Wood Street was spread, will need to get some dry sifted top soil to finish off the Park. Some of the cross walks have been painted, street sweeping has been done. The double seal coat quote in your packets is for Monroe Street; will need to add on Beaver Street, Dick Knapko from Penn Dot thinks Harmony Borough's share will be around \$2,000. The drain by the log cabin, the guys will try to do in-house. The Boat Launch has been cleaned out.

**Borough Supervisor Cont.:**

Walsh Equipment representatives are here to discuss a proposal for a new skid steer. Dave Szakelyhidi commented that it cost about \$1,000 a year to keep our skid steer; do not want the maintenance to cost more. Wade stated the solenoid was replaced at \$400. Charlie Walsh presented Council with a proposal; it is a state contract with and without a trade. It would be built in 30-45 days which would give the Borough time to try to sell their skid steer to beat the trade-in value. It comes with a 2-year factory warranty. It is a side entry machine, safety factor. Walsh Equipment is holding an Open House June 22 and 23 from 9:00-3:00 and 5:00-8:00. Don Sims commented on getting additional quotes. Solicitor Matt stated private company would need to be publically bid. John Rice suggested putting For Sale Signs on our skid steer; it would need to be advertised to bid.

In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved advertising to accept bids to sale our skid steer. Frank and Wade are to get specs for the ad, the ad should run 10 days prior to bid opening.

**Zoning & Code Enforcement:**

Allen Bayer's report attached.

Allen reported that 110 N. Pittsburgh Street was sold at Sheriff Sale; a realty company from Akron, Ohio purchased it. The grass was mowed today.

Allen also reported that 562 Main Street with the high grass, Huntington Bank said the house is occupied. Dave Szakelyhidi commented there is no electric meter or water meter.

**COMMITTEE AND OTHER BUSINESS:**

**Public Safety:**

Phyllis Metz reported that all the Swift Announcements for July have been sent to Cindy Edwards at the Zelig Police. Phyllis will be away July 11<sup>th</sup> – 23<sup>rd</sup>; Greg will fill in while Phyllis is away.

**Business Development:**

Mayor Rape reported that the Welcome Sign in the Square has been hit three times, Sign Innovation is making a new one (cost covered by trucks that damaged the sign). Mayor Rape reported on signs in the triangle, Harmony Borough has an Ordinance that does not allow signs on public property. Greg Such stated that it did not apply when Kasing or McCrackin was there because it was not public property, those businesses leased the triangle. Greg inquired if we should allow **charities** to post signs in the triangle, which would require a modification to the existing Ordinance. Allen Bayer commented that temporary signs should have council approval. Mayor Rape commented that it's advertisement for events in town and feels it's important to allow the signs. Greg Such inquired if the Zoning Ordinance needs amended. Solicitor Matt review the procedure with Council, it would need to go to Butler Co. Planning Commission for 30 days, then to Harmony Borough Planning Commission, hold a public hearing and then it could be passed. Solicitor Matt will look at the ordinance before the Borough spends money.

June 7, 2016

**Personnel:**

Jason Sarver reported the handbook is being passed along to Council for review. Dave Szakelyhidi reported that Bruce Ziegler turned in a letter to retire effective July 1, 2016. In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously accepted the retirement of Bruce Ziegler.

**Finances:**

Greg Such reported that statements just came out this afternoon, Committee should review them.

**Streets:**

Beaver Street resurfacing was covered; Don Sims reported that do to one unforeseen expense we will not be doing the drainage this year. Zelig will do their grit and seal and will give us a price for our portion of it. Wade Ion responded that it will be around \$2,000.

**Facilities:**

Dave Szakelyhidi had nothing new to report.

**Grants:**

Greg Such had nothing new to report.

**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 **\$17,329.23**

**Bills Already Paid** in the amount of **\$7,008.15**

**Payroll** in the amount of **\$6,521.45**

**Fire Tax Bills Payable** in the amount of **\$4903.73**

**Parks Board Bills Payable** in the amount of **\$1,016.48**

**Silvester Bills Already Paid** in the amount of **\$1,500.00** (summer concert fireworks)

In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously approved all bills for payment as presented on the lists.

**EXECUTIVE SESSION:**

Greg Such called for an executive session at 8:30, out of executive session at 8:50 pm.

**ADJOURNED: 8:50 PM**

As there was no further business to discuss the Harmony Borough Council adjourned the June 7, 2016 meeting at 8:50 pm

Respectfully Submitted,



Amy Brown  
Secretary