

HARMONY BOROUGH COUNCIL MEETING November 11, 2014

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

OTHERS PRESENT:

Council Meeting

November 11, 2014

*Frank & Andrea Harmon
Craig Klingberg
Jarod Stewart
Don Sims
Cathy Rape*

*Greg Such
Dawn W. Rice
Jason Ferrinola
Cathy Rape
Katie Gage
Don Sims
John White
Sandy Ferrinola
Jason Ferrinola
John Rice
ALLEN BAKER
Bill
Scott
Jim Gully
Susan Allen
Phyllis Metz
Jeanne Wright
Don Such
Cathy Rape*

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE:

Acting President, Greg Such reported that Jim Hulings has resigned from Council. Greg explained that Council has 30 days to fill the vacant council position. Greg reported their succession plan is to find another council member at the December meeting and re-organize in January.

Greg stated that Jim served us well for two-plus years. He put his heart and soul into it. We didn't always agree with him, but he did a lot of good for the borough.

MINUTES:

In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the October 7th and October 16th minutes as presented.

SOLICITOR'S REPORT:

Solicitor Matt Racunas stated he had nothing pending, no report.

BOARD REPORTS & APPOINTMENTS:

APPOINTMENTS:

In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously accepted Jim Hulings' letter of resignation effective tonight (November 11, 2014).

COG:

Greg Such reported that the next COG Meeting will be on November 13th at the Penn Township Building.

HARB:

Dave Szakelyhidi reported that there are two Certificates of Appropriateness that HARB approved and is recommending to Council.

Grace Church – sign improvements and a granite step at the Main Street entrance of the church. In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for Grace Church.

John Ziegler – 616 Wood Street- landscape stones at the road edge. Allen Bayer, Zoning & Code Enforcement Officer, commented that cars are parking in the grass; the landscape stones would prevent parking in the yard. In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for John Ziegler, 616 Wood Street.

BOARD REPORTS & APPOINTMENTS CONT.:

Water Authority:

Dave Szakelyhidi reported that they are better than half way through the water plant upgrade with the newest Leopold design. The first filter is in, and the second old filter is demolished, and the new filter is being built. When complete, the water plant will have doubled what they were. During the upgrade Zelig's water was used twice. The employees worked around the clock for about a week, they all pulled together. Dave congratulated the guys.

Parks Board:

Susie Altemus reported they're doing well on sponsorships, they received two unexpected sponsorships, Sysco and Thomas Mahler; \$500 each. Susie also reported Jim Nichol from the Seneca Valley Cross Country Team has requested to use our sound system for a 5K Race at Graham Park in Cranberry Township on Thanksgiving morning, he would be responsible for the sound system. Jim was our MC and DJ for one Silvester. In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved a one-time use of the sound system for the Turkey Trot on Thanksgiving morning to Jim Nichol.

Susie also reported the electric box in the Square has a combination lock on it, the office has the password.

Planning Commission:

Frank Luek had nothing to report.

Western Butler County Authority:

Harold Herr reported that the Sewer Authority hired Autumn Heckathorn as Assistant Manager to replace Paul Kramer who will be retiring in February 2015. The Tollgate Road Project – Phase I has been completed, the Sewer Authority is in position to install sewer lines. Tollgate Road Project – Phase II is 60% complete. Greg Such inquired if they had a response to our letter regarding the odor at the sump-station. Harold responded that the next Board Meeting is Thursday, November 13th.

Zoning:

Allen Bayer had nothing to report.

Shared Services:

Greg Such had nothing to report.

Parking/Signage and Events:

Greg Such reported that an Event Form for the Washington's Trail Celebration to be held on November 29th has been filed. There are no street closures, they will be on the trail and one vehicle will also be on the trail. In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough unanimously approved the Washington's Trail Event to be held November 29th.

BOARD REPORTS & APPOINTMENTS CONT.:

Historic Harmony:

John Ruch was unable to attend the meeting.

Greg Such reported that Historic Harmony's Calendar of Events for 2015 has been released and distributed to Council.

Mayor Cathy Rape requested permission to place an iron bench along Main Street, left of the visitor's cabin, in honor/memory of Holly Szakeyhidi. Cathy stated that there may be a matching birdbath placed as well. Frank Luek inquired if there would be enough room for the steps to go from the porch, a ramp will be on the right and steps on the left. Mayor Rape thought there would be enough room. In a motion made by Phyllis Metz and seconded by Don Sims, the Harmony Borough Council unanimously approved the iron bench and bird bath.

BOROUGH STAFF REPORT:

Police Report:

Submitted

Chief Miller reported that Halloween and the Christmas Market went well, there were no issues.

Office:

Amy Brown had nothing to report.

Jarod Stewart reported on the possibility of bidding out the retirement plan, reviewing options for employees. Jarod received the census information tonight, should have quotes in a couple weeks.

Greg Such reported that there is a new firm representing the Borough, Racunas Law Group. The Borough needed to sign a Data Release Form for the Law Offices of McGrail and Racunas to release data to Racunas Law Group. Solicitor Matt stated the transition has happened, he's received the data.

Borough Supervisor:

Wade reported that most of their time has been between the Water plant upgrade and leaves. The last day for leaf pick-up is November 21st (Friday).

A few street lights have been repaired.

The Christmas banners have been put up.

Zoning & Code Enforcement:

Allen Bayer's report attached.

Mayor Rape inquired about the hedge issue on Mercer Street; she stated the hedge has been that high for probably 70 years, it helps block noise and sight of the factory. Allen, Code Enforcement Officer, commented it is how the Ordinance reads. He spoke to the property owner, there were two ways to solve it, the property owner could apply for a variance or let it go to the Magistrate and allow the Magistrate to decide. Dave Szakelyhidi commented that when an industry abuts residential, there is supposed to be a double barrier, that barrier should be on the industry side.

BOROUGH STAFF REPORT CONT.:

Zoning & Code Enforcement Cont.:

Solicitor Matt commented that it could go to the Zoning Hearing Board or the Magistrate and let them decide. Dave Szakelyhidi inquired if the resident is made to cut down the hedge, who is responsible to supply the buffer/barrier.

Solicitor Matt commented that the Borough can't select to enforce ordinances. The Borough can re-visit this issue later if need be (if the resident is made to cut the hedge).

OLD BUSINESS:

Personal:

Acting President, Greg Such reported that the review process is almost complete; Phyllis Metz commented that the last review will be on Thursday.

Finance:

Don Sims reported that he and Jarod Stewart took the last proposed budget and revised it. It is a very conservative budget, do not spend more than we make. Pay workers, bills, improvements then local entities such as the Library and Parks. Susie Altemeus inquired if the Parks donation was for Harmony or Zelig Parks. It was stated in the past it went to Zelig Parks, but a few years back Harmony gave back the Ducky Race and the benefit of that race and the Borough lowered their donation to Zelig Park. Solicitor Matt explained that a tentative budget must be advertised and posted before the final budget is passed/approved, Changes to the budget can be made up until the final budget is approved, it must be approved by December 31st. Council asked Amy to check to see if a check was sent to Zelig Park. Susie Altemeus also inquired on the Library donation being lowered from \$5,200 to \$500. Don Sims commented that the Borough needs to make sure they can pay bills before handing out contributions; next year at this time if we have better software and have a better handle on money coming in and money going out, at the end of the year if there is money available and if residents and Council would like to make donations they can decide to do so at that time. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved to accept and advertise the tentative budget for 2015.

Streets:

Frank Luek inquired on the parking issue on Wood Street, a resident can't back out of her garage, there is a telephone pole across the street and the flower bed out to the street makes it tight to get out as is. Frank inquired if the Borough could place a No Parking Sign there. A No Parking Sign would require an Ordinance and advertising. Dave Szakelyhidi asked John Rice (former Councilman/Streets) about Wood Street. John Rice commented that they were going to widen Wood Street and raise the level. Don Sims commented that the Streets Committee has a 5 year plan; Wood Street and Jackson Street were on their plan for 2015. John Rice commented that an estimated cost from the Engineer for widening Wood Street and raising the level was around \$40,000. Frank Luek inquired what to tell Cathy Gilg, leave as is for now. Greg Such will talk to her.

OLD BUSINESS:

Public Safety:

The Clean Water Act Resolution – Solicitor Matt commented that it doesn't have much effect. The Resolution will be sent to our Congressman, Senator, and PSAB notifying them that the Borough opposes the EPA's expansion of the Clean Water Act. It's over regulation, too restricting. A motion was made by Phyllis Metz and seconded by Don Sims to approve the Clean Water Act Resolution.

Roll Call Vote: Phyllis Metz – yes
Frank Luek – yes
Dave Szakelyhidi – no
Jarod Stewart – no
Don Sims – yes
Greg Such – yes

Motion carried.

Facilities:

Dave Szakelyhidi had nothing to report.

Frank Grannon commented that the garage door on the Storage Building will need replaced.

Business Development:

Greg Such had nothing to report.

Grants:

Greg Such had nothing to report.

PUBLIC COMMENT:

Jean Vonhofen – lives on Spring Street, Jean inquired who to contact about the noise and lights from the oil tanks at Sysco. She lives in the Borough but Sysco is in Jackson Township. The Borough was discussing a buffer earlier regarding industry and residential. Dave Szakelyhidi inquired if Jackson Township requires a buffer, discussion. It was recommended that Jean contact Chris Rearick at Jackson Township regarding the problem.

NEW BUSINESS:

Training and Conferences:

Greg Such reported on the Storm Water Management Seminar on November 19th. There will be meeting to discuss the Fire Department Study at 8pm at Robinson Fans. Frank Luek will attend.

Personnel:

Greg Such had nothing to report.

Finances:

Jarod Stewart reported that they are looking into an accounting software upgrade and Pension options.

NEW BUSINESS:

Streets:

ECMS – PennDot uses, the user identified is Jeff Smith who is no longer here. It was recommended that someone on the Streets Committee or Wade should be the user. It was agreed that Wade would be the user; Wade will take care of changing it from Jeff Smith.

Greg Such reported on Jim John's driveway on Edmond Street – Jim offered to buy a strip of land from the Borough which is a paper street. Solicitor Matt stated there is a proper procedure, the property owner (Jim John) would need to request that the Borough vacate the street, Jim would need to get 51% of the property owners who abut the paper street to sign a petition. Allen commented the problem is that the paper street is the right-of-way to the one neighbor's property. Allen had corresponded with Matt regarding this issue, a solution was recommended upon Council's approval to have a document created by the Borough allowing Jim to construct the driveway on the paper street with the understanding that if in the future the paper street needed to be widened Jim understood that part of his driveway could be removed. Allen contacted the neighbor and he also was in agreement. Jim contacted Allen and advised he was not going to install the driveway this year. Dave Szakelyhidi inquired if the compromise would interfere with the sled riding hill. John Rice commented that when they developed Third Street and were looking into the possibility of completing Edmond down to Third to enhance parking down at the Park, after doing some measuring they realized Jim's garage already overhangs on the property line of the paper street. Allen Bayer commented that the problem is a garage or fence does not require a survey. Jim has two options; accept the compromise or petition to vacate the paper street. Jim had been in contact with Mayor Rape, she can pass the options along to Jim.

Streets:

Frank Luek suggested changing the 2-HR Parking in the Square to No Over-Night Parking; people are parking longer than 2 hrs. Dave Szakelyhidi suggested leaving it alone, if you change it, some people will park there all day.

Frank Luek inquired if Council should consider another parking spot next to the White's house on Main Street in the Square; and a handicap spot by Grace Church, it was determined there isn't enough room for either parking spot. There was an inquiry about placing a stop sign on Mercer Street at Spring to slow cars down coming through town. An Engineer Study would need to be done and the ordinance would need to be re-done.

Facilities:

Dave Szakelyhidi had nothing new to report.
Greg Such reported on Old Business - the Borough successfully completed the Department of Labor & Industry Accessibility Audit.

Business Development:

Greg Such had nothing new to report.

November 11, 2014

NEW BUSINESS:

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:

Frank Luek questioned the invoice from Murrin, Taylor, Flach, Gallagher & May in the amount of \$1,050.00 sounds high for a Zoning Hearing. Solicitor Matt reviewed the invoice and Amy is to contact Solicitor Gallagher.

General Bills Payable in the amount of \$46,409.52 (minus the \$1,050. from Murrin, Taylor, Flach, Gallagher and May)

Bills Already Paid in the amount of \$4,291.00

Payroll in the amount of \$4,713.47

Parks Board Bills Already Paid in the amount of \$18.71

Silvester Bills Payable in the amount of \$501.33

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

Jason Sarver – Liberty Street, has lived in Harmony Borough for about 13 years, expressed his interest to be considered for the vacancy on Council.

John Rice – Liberty Street, has lived in Harmony Borough for about 14 years, has been on Council, and has been on the Water Authority Board since 2002, also expressed his interest to be considered for the vacancy on Council.

Solicitor Matt went over the procedure for the vacancy on Council due to Jim Huling's resignation. Council has 30 days under the Borough Code to fill the position from the date the resignation letter was accepted. There is another procedure if Council is not able to fill by majority vote. There is no formal procedure set under the Borough Code on how you fill the vacancy. Council can accept letters, they can interview, they cannot interview, it is really up to the discretion of Council. The only stipulation is that the vacancy be filled within 30 days.

ADJOURN: 8:25 pm

As there was no further business to discuss, in a motion made by Phyllis Metz and seconded by Don Sims the Harmony Borough Council adjourned the November 11, 2014 meeting.

Respectfully Submitted,



Amy Brown
Secretary

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

October 2014

1. Stopped by the office a few times each week to pick up mail, sign violations and to drop off building permits.
2. Processed 2 building permits
 - a. 1 garage construction
 - b. 1 garage demolition
3. Process 1 violation
 - a. 1 vegetation violation
4. Created two sidewalk violations withdrawal notices as a result of inability to determine property ownership at Wood St. and at Liberty St.
5. Inspected one vegetation violation. Spoke with resident and Matt regarding hedge height violation.
6. Spoke with several residents regarding zoning questions.
7. Inspected one property having a temporary fence.
8. Spoke with resident regarding unleashed dog and fencing concerns.
9. Spoke with Gary Rodgers regarding status of PCI building permit. Talked with Tom McCosby and he said that it will be available early the following week. Passed the information onto Gary Rodgers.
10. Prepared for and inspection of past due violations prior to filing for a hearing with the magistrate. Notified Matt to file for hearing.
11. Inspected 3 sidewalk violations.
12. Prepared for and attendance of the Zoning Board Hearing regarding 139 Jackson St.
13. Prepared response to Jim Hulings letter concerning the Barkley property. Follow up inspection of Barkley property.

14. Had illegal signage removed at CVE ball field.
15. Inspected five sidewalks for repair.
16. Spoke with realtor regarding rebuild approval for 428 - 430 Liberty St. in event of a fire. This pertained to property refinancing.
17. Inspected sidewalk repair and hedge trimming at Eutaw and Mercer.
18. Inspected progress of Barkley garage demolition.
19. Sent off monthly census report.
20. Responded to phone call from Ross McCune regarding hearing date for vegetation violation. Date has not been set.
21. Filing and administrative work.
22. Prepared monthly report.

Respectfully submitted,
Allen E. Bayer