

April 3, 2018

HARMONY BOROUGH COUNCIL MEETING April 3, 2018

COUNCIL MEMBERS PRESENT: Frank Luek, Dave Szakelyhidi, Greg Such, Joe Dippold, Don Sims, Jason Sarver, and Mayor Cathy Rape

OTHERS PRESENT:

*Council Meeting
April 3, 2018*

FRANK GRANNOH
JASON SARVER

Joe Dippold

Cathy Rape

Don Sims

Phyllis Metz

TIEGAN Varga

Jan Ignatik

Elizabeth Ignatik

Jan Klein

JOHN MEEDER

Rod Gersch

KEVIN MIKULAN

Sam Murphy

GREG SUCH

Don Sims

Frank Luek

Joe Winters

Brenda Bernick

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CALL TO ORDER:

Council President Greg Such called the meeting to order at 7:00 pm.

PLEDGE OF ALLIGANCE:

COLOR CONTEST WINNER:

Mayor Cathy Rape announced Tiegan Vargas (5-1/2) from Pittsburgh Street as the winner of the coloring contest in the January Newsletter. Tiegan was presented with gift certificates from Two Fraus Bakery and Lagerhaus Bakery.

MINUTES:

In a motion made by Don Sims and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the March 6, 2018 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that he attended a sidewalk hearing on the Sapienza property, the Borough was awarded judgement.

Matt reported that he has had several calls with DEP on the alleged pond flowing over into Harmony Borough property and whether or not there should have been a grading permit applied for. DEP is checking their permit applications; it is Matt's opinion that it was not intended to go into Borough properties; if that is the case it will be a DEP enforcement issue. DEP will do a sight inspection. Matt was supposed to receive some documentation by today to bring to the meeting, unfortunately he has not received the email with the documentation as far as the application goes. It is a DEP enforcement issue, the Borough is not doing anything until DEP tells us whether or not that dirt was supposed to come into Harmony Borough, if in fact it is in Harmony Borough. Mayor Rape commented that the retention pond is in Borough boundary. Solicitor Matt responded that there is a slope, maybe 10' or 15' of the bottom of the slope that is believed to be in Harmony Borough. Dave Szakelyhidi commented that he thinks Matt is saying it wrong, it is alleged that it is in the floodway. Matt commented that we received a question from a resident asking whether or not they should have applied for a grading permit because the bottom foot of that is in the Borough. Dave Szakelyhidi commented that the whole retention pond is in the Harmony Borough boundary, the alleged maybe that it is on the Trail. Solicitor Matt commented that it is not on the Trail, it may be in the floodway and DEP is going to check that out when they do their site inspection.

Solicitor Matt reported that another email was sent to Premier Craneworks, no response. The next step would be to transfer judgement to Mississippi; Matt is not sure what the cost would be. Don Sims inquired if Matt any contacts down there, Matt does not. Don inquired if there was a parish that would have to support that for us. Matt will make a call.

Solicitor Matt reported that he will do the amendment to the Wood Street Parking Ordinance that will change it to the west side of Wood Street south of Mercer Street in the area from **35' from** the southwest corner of Wood Street and Mercer Street to 150' southwest corner. Don Sims inquired if we would need to paint that, Jason Sarver responded yes. Jason Sarver explained it on the diagram. Solicitor Matt will send Amy the advertisement.

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BOARD REPORTS/APPOINTMENTS:

APPOINTMENTS:

No appointments

COG:

Joe Dippold had nothing new to report.

HARB:

Dave Szakelyhidi reported that there was no action taken.

Water Authority Board:

Dave Szakelyhidi had nothing new to report. Frank Grannon commented continued upgrades.

Parks Board:

Susie Altemus was unable to attend the meeting. Greg Such had nothing new to report. Josh Meeder inquired if there was a report of what the Shamrock Shuffle brought into the borough. Greg Such responded that the borough does not make money on that event, it is a benefit sponsored by the Rotary for charity. Josh Meeder commented from a business perspective the races have a big impact on the community, sales are down 20-30% and the borough does not benefit from them. Greg Such commented that the events raise awareness of tourist. Josh Meeder commented that the Borough should benefit from it, there are a lot of needs in the community; the borough should benefit from it if the town and businesses are dealing with it too. Mayor Rape commented that she thinks it would be hard to say to one race coordinator that they have to make a donation to Harmony and we don't do that to every race. She hopes the stores/businesses get exposure later on. Phyllis Metz commented that the coordinators suggested businesses put items in the packets to the racers, like coupons, or something. Lana Klein, Wunderbar, commented that that is a great idea but...parking is an issue, someone needs to stand out by the business parking lot to let people know they can still park there, the stores are open; their sales were down. Saturday is their busiest day, Two Fraus Bakery is a one day bakery, they threw all their breakfast items out the day of the race. Josh Meeder commented that events affect the community, businesses suffer, the Borough should have some type of charge for events.

PLANNING COMMISSION:

Joe White reported that Historic Harmony would like to build a shed but do not have the required 10' setbacks, the adjoining property owners do not object. The Planning Commission is requesting that Council/Zoning Hearing Board waive the variance fee. Greg Such commented that the ZHB attorney will still charge the Borough and suggested the Zoning Hearing Board and the Planning Board request the ZHB attorney to waive their fees. Solicitor Matt Racunas stated there is also a court reporter cost; the fees the Borough pays already exceed the variance fee cost.

WBCA:

Greg Such reported that they are starting to discuss the plant equipment expansion. Solicitor Matt commented that they are exploring the 537 Plan. Dave Szakelyhidi commented that the Street Committee has discussed paving Pittsburgh Street from

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Rt. 68 to New Castle Street, Dave reached out to the Gas Company and the Water Authority before paving, he asked Greg to reach out to WBCA.

Shared Services:

Dave Szakelyhidi had nothing new to report.

Parking and Signage:

Jason Sarver reported that they are still working on it (Wood Street).

Historic Harmony:

Rod Gasch reported they started planning converting the Visitors' Cabin; hope to be complete in the fall of 2018. The Quilt-in-a-Day event will be May 29th, the Herb & Garden Fair will be June 9th and the In Harmony Heritage Music Festival will be July 20th and 21st.

Harmony Business Association:

The next meeting will be Thursday, April 5th at the Rodgers Brothers.

Other Meetings:

Greg Such reported that there will be a planning meeting regarding Evans City School on April 13th at Seneca Valley High School, Greg and Mayor Rape will attend.

Mayor Rape reported that there is a meeting this Friday, April 6th at the High School to encourage 11th and 12th graders to register to vote.

PUBLIC COMMENT:

Josh Meeder – Josh would like to renew his request/offer for parking with the Harmony Inn losing two parking spaces, he knows road need a lot of attention but we need parking in town. Josh also inquired from Matt if 51% was that by the number of properties or by property owners. Solicitor Matt responded the by the number of properties. Josh has approached several of the property owners, they are in favor of dedicating Aster Lane back to the Borough he will get the letters and prepare it formally but he would like the Borough to consider taking over Aster Lane from a maintenance perspective. Solicitor Matt commented that there is no legal requirement that we do it, they can dedicate it, the Borough can accept it. Don Sims inquired if the Borough has to accept it. Solicitor Matt responded you are not obligated to accept it. Josh commented about assisting with the parking, the Museum has parking back there, they allow parking behind their building as well, Josh hopes there might be some grant money to develop a parking lot, Josh would offer a lease of \$400 per year for 20 years; whatever makes sense for the Borough. It can hold up to 66 parking spots Josh already has had it engineered, the cost is about \$50,000 to put in a gravel lot. Greg Such commented that there are 76 spaces in town and that does not count US Liner or Robinson's; public spaces. Lana Klein commented that it's not even a drop in the bucket. If you want these functions like these races and it's great to have all these people come in town but if you don't have the infrastructure to handle these people, that's what it is doing it is overflowing in business parking lots. She thinks Josh's idea is great if the Borough would take over Aster Lane it would get people to want to go back there if it was in better condition. When it is dry back there, there are a lot more spaces to park and that would at least

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PUBLIC COMMENT CONT.:

give us a start. You are asking a lot of people to come into town; they bring a lot of people into town, the big thing that is hindering them is the parking. Mayor Rape commented that her problem is there are six businesses parking in one lot; race day is a different story but when you go to Pittsburgh for an event where do you park? Josh Meeder commented that this doesn't just affect the business owners, it affects residents too, businesses bring people in, Lana Klein commented that Harmony is a great destination spot. Seth Murphy stated that parking is an issue, what can we do about it? Mayor Rape commented that the Borough cannot get a grant for private property. Jason Sarver inquired if the Borough would buy it and develop it, is there a surface that could withstand the water going through there constantly. Don Sims responded aggregate is the only way to do it; this is a whole other subject of purchasing property. Greg Such commented that we need to move along.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Mayor Rape inquired if the truck driver was ticketed that damaged the bollard in the Square and if there was a Police Report. Officer Mikulan replied if they were dispatched there would be a report.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported that they patched potholes and put the salt box back on.

Zoning and Codes:

Allen Bayer was unable to attend, report submitted.

Jason Sarver reported on the Property Maintenance Code, it is standard in communities; it helps to keep property upkeep going. Don Sims commented that it is a little more than what this community wants, even the Zoning Officer said if you follow it you will have people upset. Council could decide what they want to enforce. Jason Sarver commented that it is just common sense laws. Greg Such commented that it can be tailored. Don Sims responded that we have ordinances, just enforce what we have. Greg Such stated that the Zoning Officer said there are ordinances that he cannot enforce. Solicitor Matt stated that we need to know from Allen (Zoning Officer) what his deficiencies are. Jason Sarver commented that it is a way to prevent blight; Zelig just passed it. The 2009 Property Maintenance Code is more lenient, it is better for our community. Greg Such recommended to table for now, Jason (Sarver), Allen (Bayer) and Don (Sims) will work together on this. Mayor Rape suggested have answers by next council meeting to vote on. Josh Meeder commented that he is 100% in agreement with Don.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Phyllis Metz thanked Chief Miller for all the help with the Shamrock Shuffle. The Glow Run will be in May, it's already been taken care of; the Wine Walk is in June.

Public Safety Cont.:

Jason Sarver reported on the Commercial Fire Inspections, received 6 back so far, will call to follow up on ones not yet received; if any are left over a letter will then be sent with a strong deadline.

Greg Such reported that at the Fire Department meeting last month they suggested the Borough get a Knox Box on the Borough Building, the cost is \$350. In a motion made by Don Sims and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the purchase and installation of a

Knox Box on the borough building. Dons Sims inquired who would install it. Dave Szakelyhidi can install it. Dave Szakelyhidi stated you have two choices, a flush box or one that sits on the surface. Dons Sims commented that the surface would be fine. Joe Dippold inquired if HARB would need to check it out. Solicitor Matt commented Kings Law, no. Don Sims stated that it is a safety issue. Josh Meeder inquired if there is a discount on volume, he would be interested.

Business Development:

Cathy Rape reported on the fund raiser dinner for the new garden supplies, 75 paid dinners = \$1875 plus \$179 in donations, that total is \$2054. There was \$772 in expenses for the accordion player, hall rental, decorations and food, and the Langerhaus Bakery who did the desserts did not charge probably a third of what they should have charged. The total profit \$1282. Thank you to donators: Wunderbar, Two Fraus Bakery, Mussig Florist, Harmony Inn, Historic Harmony, and Langerhaus Bakery; all the helpers for the set up and clean up. Cathy thanked Susie Franz for organizing and cooking, it was a good event and hopefully there will be another and we can get the brackets for the light post and flower baskets.

Mayor Rape also reported that she performed a wedding and received a very nice donation from Donna Statzer and read the thank you card. "Harmony is a very special place to us, it hold many special memories. Harmony is connected to our recreation, holidays, changing of the seasons and our past. We know that it is the people behind the heart and soul of Harmony and for that we are blessed and humbled. Please accept this gift in memory of my Father, Herb Statzer and as an expression of our gratitude for yesterday (the wedding), today and the future of Harmony. Harmony's precious contribution to our lives will never be forgotten." Mayor Rape also reported that she married them on March 24th and he passed away yesterday, April 2nd. The donation was for \$1,000 which will go towards a cluster box.

Personnel:

Jason Sarver had nothing new to report.

Finance:

Joe Dippold reported that the audit looks exactly the same as last year.

Streets:

Don Sims reported that Zelig would like to jump on board with us during paving. Frank Grannon commented that Zelig was putting theirs out for bid by the end of this month; they are only doing a couple streets. Don Sims commented that we are looking at after the 4th of July due to constraints, if Zelig would be willing to

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Streets Cont.:

adjust to that, it would be great if we could do it. Frank is gathering numbers on the different bids Don wants. Dave Szakelyhidi commented that we need to discuss the paving, we don't have consensus, we just paved Pittsburgh Street a couple of years ago, the Main intersection is terrible, the streets around the borough building need repaired. Don Sims responded that if we ignore Pittsburgh Street we will end up doing it in an emergency and at emergency cost. Phyllis Metz commented that Spring Street is falling apart. Don Sims commented that we need to look at the volume the streets get too. Frank Luek commented to see how bids come in. Frank Grannon stated that we need to get a speck sheet out so everyone bids on the same thing.

Frank Grannon reported that we need to sweep streets, not sure what Zelig is doing, last year Wayne said the sweeper was on the downhill side. Frank is to get bids for street sweeping.

Facilities:

Dave Szakelyhidi had nothing new to report. Greg Such is to order the Knox Box.

Grants:

Greg Such reported that the Tourism Grant application was submitted. The Local Government Academy will send email for potential interview candidates. Greg Such met with Ben Levenger of Downtown Redevelopment and representatives of Zelig and Mars to discuss a joint Façade Grant Program that includes Harmony, Zelig, Mars and potentially Evans City for improvement of downtown commercial areas. Building owners can be awarded up to \$5000 per successful grant application. More work is needed to implement this program.

Tree Grant is a 50% match; deadline is the end of April. Jason Sarver inquired where the trees would be planted; Greg Such responded the borders with Robinson, we need to have Robinson pay part of it to off- set cost. Brenda Benek commented they are to be used as screen from industrial. Joe Dippold inquired if we could get a grant for private property. Greg Such responded if Robinson helps off- set the cost.

Training & Conferences:

Greg Such reported they are listed on the Correspondence List.

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 \$ **8,180.66**

Bills Already Paid in the amount of \$ **2,844.57**

Payroll in the amount of \$ **6,027.68**

Fire Tax Bills Payable in the amount of \$ **1,667.62**

Silvester Fund Bills Payable in the amount of \$ **1,681.00**

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

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ADJOURN: 8:15 pm

As there was no further business to discuss, the Harmony Borough Council adjourned the April 3, 2018 meeting at 8:15 pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Amy Brown".

Amy Brown
Recording Secretary

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

March 2018

1. Stopped by the office two times each week to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. Created March Time and Activity Reports.
4. Attended March HARB meeting.
5. Attended March Council meeting.
6. Spoke with Joshua Schmaker regarding temporary permit for two storage pods. I referred him to Jackson Twp.
7. Spoke with Jennifer Engle regarding zoning in Franklin Twp. I referred her to Franklin.
8. Spoke with Mike Cantinetti, 226 Bluff St. regarding running storm water from his house into the storm water system. I referred Mike to speak with Frank.
9. Spoke with Jenna Millone, 435 E. New Castle St. regarding zoning for a pool.
10. Inspected sidewalk violation at 226 Mercer St.
11. Spoke with Tonya Hart, US Liner 724-759-5998, regarding closure of Spring St. by Peoples Gas. I referred Tonya to Frank Gannon.
12. Prepared for hearing at the District Magistrate's office for Mark Sapienza's sidewalk violation.
13. Spoke with Sam Hopkins regarding permitting requirements for an alarm, play ship and lawn sprinkler system.
14. Spoke with Charles Thomas, 309 Monroe St., regarding fencing requirements.
15. Attended hearing for Sapienza's sidewalk violation at the District Magistrate's office in Evans City. Wayne Seibel said he would have a decision within 5 days of hearing.

Respectfully submitted,
Allen E. Bayer