

March 6, 2018

HARMONY BOROUGH COUNCIL MEETING March 6, 2018

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

OTHERS PRESENT:

*Council Meeting
March 6, 2018*

FRANK GRANINO III

GREG SUCH

[Handwritten signature]

JOE DIPPOLD

CATHY RAPE

JIM MULL

DON SIMS

PHYLLIS METZ

FRANK LUEK

DAVE SZAKELYHIDI

RODNEY GASTON

JOSH MEEDER

ALLEN BAYER

BRUNDA BENEK

KEVIN GOEBEL

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CALL TO ORDER:

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

PLEDGE OF ALLIGANCE:

MINUTES:

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

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported on the abandonment of Water Street, Matt's legal determination is the street has been vacated by operation of law; there is a line of cases in Pennsylvania that state that if a paper street is not opened within a period of 21 years it is automatically vacated without any action of anybody. That paper street has been legally split, the property owner owns property on both sides of the paper street, and can proceed with the repairs that are deemed necessary. Under the Borough Code vacating a street cannot alter the municipal boundaries. The municipal boundary remains the same; it is just the ownership of the property that was split.

Solicitor Matt also reported that he has not heard from Premier Craneworks since he sent the complaint, judgement, and police report 30 days ago, he did follow up with an email but has not received any response. Matt will continue to send emails if that does not do anything by the next meeting, Council may want to talk about what we are going to do if anything, one option would be to hire a local attorney down there.

Solicitor Matt reported on the Jackson Park Resolution, the Mayor vetoed the Resolution, if Council would like to move forward with the Resolution they may do so by overriding the Mayor's veto with 5 votes. Don Sims made a motion to override the Mayor's veto, Frank Luek seconded the motion. Josh Meeder inquired if there is a cost to the Borough. Greg Such responded there is no obligation; Solicitor Matt responded it's a plan. Jason Sarver commented that it is just a plan saying that we agree that it is a good idea to go forward with joining Jackson, Zelig as a region to have a parks plan. Dave Szakelyhidi inquired about the emergency access. Greg Such responded that in the Resolution it states that when Creekside is up for its next round of reviews they will remove the emergency access or we will vote to repeal the Resolution. The Resolution says "The Borough takes exception to the use of the Harmony Trail as an emergency access to the proposed Creekside Development. In the event that the Creekside Development is approved by Jackson Township with an emergency connection to the Harmony Trail, the Borough will withdraw, by resolution, from the plan." Dave Szakelyhidi commented that he would have like to see them take it out of their plan. Greg responded that it is not in the plan itself. Jason Sarver commented this Plan is for grant purposes. Don Sims commented that we are voting on a motion to override the Mayor's veto. Roll call vote: Phyllis Metz – yes, Frank Luek – yes, Dave Szakelyhidi – no, Joe Dippold – yes, Don Sims – yes, Jason Sarver – yes, and Greg Such – yes.

The vote passes 6 -1. Solicitor Matt reported that the Resolution will be signed, note the Mayor's veto on it and vote 6-1.

Solicitor Matt reported that some changes have be made to the draft Floodplain Ordinance; Leslie Rhodes has made some changes, will open it up for discussion. Greg Such reported that there were a fair amount of changes, Cathy Rape has made the suggestion to reduce the 1 ft. modification to 1 in. modification, it will need to be sent back to Leslie Rhodes and ask

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her to make those modifications. Greg Such inquired what number does Council want it to be, the draft Ordinance that we have that was put in place in October 2015 has 1 ft. Cathy Rape suggested lowering from 1 ft. to 3 inches. Greg Such inquired if we would limit any potential economic opportunity by switching from 1 ft. to 3 in.; and is it enforceable from the Zoning Officer's perspective. Allen Bayer responded that it would be enforceable. Greg Such inquired what Josh (Meeder) and Rod (Gasch) as property owners in the lower spot, what their thoughts were on lowering it from 1 ft. to 3 inches. Josh Meeder commented just to clarify the 1 ft. was the total amount of elevation change allowed within the Borough. Greg Such responded that was correct. Josh Meeder commented that there is still 100 year flood limits it to 1 inch per a development plot as he understands it, Josh's recommendation is to absolutely to reduce it, if you look at the flood plain that we have, we are not a large borough, there is not a lot of land mass, and the amount of fill even from the hydraulics looking at Jackson Township to change it to 1 inch was significant. Josh thinks we need to take the lead as a community and say we oppose floodplain development, the only place he could see possible limitations potentially in the future is the warehouses if they leave at US Liner. Josh's suggestion would be to definitely lower it to 3" or even lower. Rod Gasch agreed with what Josh said. In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved modifying the new Ordinance from 1 ft. to 3 inches. Greg Such will send it back to Leslie Rhodes and get it done. Joe Dippold inquired what date it had to be done by. Greg Such responded that an Ordinance has to be passed by August.

BOARD REPORTS/APPOINTMENTS:

APPOINTMENTS:

No appointments

COG:

Joe Dippold reported the next meeting is Thursday, March 8th.

HARB:

Dave Szakelyhidi reported that there was no quorum or customers at last night's meeting.

Water Authority Board:

Dave Szakelyhidi reported we made the paper with the mine blowing up on the Semicon; we shut down the water plant for 14 hours to let it pass. We are fortunate neighbors up on the Semicon alerted us beforehand; DEP contacted us Monday after the fact, not sure where their emergency response team was. Dave reported that he met with four engineers from the Mining Division Tuesday afternoon, they will put a wet plug in the mine which means it will let the water drain but keep kids from crawling in it, there is no oxygen in there so it would be fatal. Jason Sarver inquired what the people on the hill saw to know to alert us. Frank Grannon responded orange water. Mayor Rape commented that it was wonderful of neighbors up there to alert us. Frank Grannon commented that it was the second time they alerted us. Greg Such suggested that a letter be written to the neighbor who alerted the Water Authority, Frank Grannon is to get Greg Such the contact information. Dave Szakelyhidi commented that usually DEP has an emergency response team, Larry Muha was the guy, that called Dave in the past but he has retired.

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Parks Board:

Susie Altemus reported that March 17th is the Shamrock Shuffle, Wood Street is the finish line. Susie received a wedding request for April 14th at Wood Street Park. Greg and Susie reported that there was a suggestion to change the date of the Polar Plunge to February or March, they are considering doing that.

PLANNING COMMISSION:

Frank Luek had nothing new to report.

WBCA:

Greg Such had nothing new to report.

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 that there will be a flea market on Saturday from 8:00am until 2:00pm at Stewart Hall. The Harmoniefest is March 17th and the award dinner with candle light music by the Wayward Companions. The winners of the Heritage Awards and Commendations will be recognized, they are Pat Murray- the Murray Agency for restoration of the Weingartner House at 515-1/2 and 517 Main Street, Harmony. Chris and Gerri Palmer for restoration of their farmhouse at 1860 Route 68, Rochester. Erick Christensen for improvements to the house at 552 Main Street Harmony. Robert and ChrisAnn Goossen for rehabilitation of their 1880s farmhouse at 156 N. Charles Street, Zelienople; and to the Zelienople 175th Anniversary Committee for organizing the commemoration of the borough's 1840 incorporation celebration. The Harmoniefest dinner reservation deadline is Monday, March 12th. Historic Harmony would like the Borough to be a supporting partner on the Butler County Tourism Grant request for some advertising money for the music festival in July. They will do the match; just have the Borough name as a supporting partner on the grant.

Harmony Business Association:

No representative present.

PUBLIC COMMENT:

Josh Meeder -Thanked Amy and Frank for getting the potholes patched in front of the Center of Harmony there were a lot of cars hitting some big ones.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Chief Miller reported that Sargent Chuck Carlson is retiring.

Dave Szakelyhidi inquired on the 3 hours of foot patrol and the 3 hours of Square patrol, is that 3 hours or 6 hours total. Chief responded that it is 6 hours total.

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Police Report Cont.:

Greg Such inquired on the Safety Police Auxiliary. Chief Miller replied that they are still doing some fact finding.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported that they filled some potholes; it would be nice to have access to a hot box to be able to get some hot mix so the filling of pot holes would stay. Greg Such inquired if you could rent one, Frank will look into it. Don Sims inquired about the government shared service out in Harrisburg. Greg Such recommended that Joe Dippold check with COG at Thursday's meeting. Frank Grannon reported that he contacted Dick Knapko to look at Pittsburgh Street, waiting for Dick to get back to him. Frank reported that Council needs to decide what they want to do about the snow plow, repair it or purchase a new one. Greg Such commented that Council is in agreement to buy a new one for the \$600 difference of repairing the old one. Greg Such gave the back ground that we had an incident with the snow plow, the insurance company sent us a check to repair it, the difference between the repairs and buying a brand new one is \$600 because Frank got end-of-the-year clearance pricing. It is the wiser way to go than to repair a six year old plow, we will sell the old one. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the purchase of a new snow plow and to offset the cost as much as possible with the insurance check. Frank Grannon reported that they lost one of the magnetic sign off the dump truck during leaf season and his last Walsh trip he lost the one on the other side. Frank is waiting for a price from Sign Innovation on decals vs. magnetic sign; this is the third time they have lost the magnetic signs.

The Gas Company will be replacing a gas line on Spring Street from the railroad to Mercer Street, starting rapidly. Frank gave the contractor some contact numbers for US Liner because that is our truck route. The Gas Company would like to stock pile gravel/sand by corner by Addams Automotive, they do not have anywhere else to put it and it is the closest place. Frank also reported that he has a call into the Gas Company on our Pittsburgh Street project. Mayor Rape inquired how long it will take, there are events taking place in town on March 17th and they will need that parking lot for the race and dinners. Frank responded about 1 week. Frank will contact the Gas Company to see when they will start. Greg Such inquired what happens to the truck traffic. Frank Grannon responded that they will direct traffic; they will have to have a plate there. Frank also reported that Dave wanted him to contact the County on the lights for the bridge, the guy Frank spoke to said he needed to get a couple more people to sign off on it, once signed off, will get them ordered, Frank let him know that there is an 8-10 week wait, we have 2 out now and we needed to get going pretty quick on it. Don Sims inquired how Frank was on getting the parts for the zero-turn. Frank Grannon responded done. Don also inquired how the salt is holding up. Frank responded good, he reported he had to place an order for next years; there is about 50 ton down there now.

Zoning and Codes:

Allen Bayer report submitted.

Allen reported that he and Dave attended the Fema FIRM meeting on February 27th.

They reviewed what we already knew, we are right on course. They did think we should advertise it to the residents, the links for the internet – Allen has the information and will get together with Amy before the next Newsletter.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Greg Such reported that the Fire District Meeting is on March 21st at 7:00 pm.

Phyllis Metz reported that she received an Event Form and the Certificate of Insurance for the Glow Run on May 12th from 7:30 pm – 9:30 pm, no street closures.

In a motion made by Frank Luek and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the Glow Run on May 12th.

Phyllis Metz also reported that she received the Event Form for the Wine Walk for the Zelig Library on June 9th; they are still working on the Certificate of Insurance.

It will be from 5:00-9:00 pm, the Square will be closed, will need traffic control.

Dave Szakelyhidi suggested someone needs to contact US Liner about the Square being closed.

Phyllis reported that she spoke to Jackson Township and US Liner regarding the Shamrock Shuffle. Joella cannot get the CB Rangers to help with traffic control.

Jackson Township agreed to have a policeman/car at Evergreen and Mercer Streets.

Phyllis contacted the Butler County Fire Police, Dave Szakelyhidi suggesting taking it to the Fire meeting on the 21st. Chief Miller commented that the Butler County Fire Police can't come down here, because workers' comp insurance covers them,

you have to ask their municipality to come. Don Sims suggested to send a letter requesting the Butler County Fire Police, Phyllis is to talk to Chief Miller. Josh Meeder suggested to put it on the Race/Event promoters; he also commented that his tenants' business goes down 30%-40% on race days.

Greg Such brought up the flooding at the end of Mercer Street. Dave Szakelyhidi reported that the street was flooded and a barricade was up to close the street, trucks drive around the sign and damage our street. US Liner's employees were not allowed to leave, their cars were sitting in a lot with water. Jason Sarver reported that their decision makers are in Florida. Frank Grannon commented that they have a water jet and cannot just shut down or it will self-destruct, it takes about 20 minutes to shut down, the Water Authority must give notice when flushing hydrants. Greg Such asked Chief Miller how to handle that, Chief Miller responded that if it is a safety issue the Police will tell them to leave; Greg Such will contact Florida management and ask them to establish protocol.

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Business Development:

Cathy Rape reported that the Connoquenessing Creek came in second for the River of the Year; it was in the Borough News. Josh Meeder commented there was a \$10,000 grant for the winning river. There is a bus tour going to Washington DC May 11th and 12th to benefit the Buhl House in Zeligople/the Zelig Historic Society.

There is a German buffet dinner March 24th at Stewart Hall to benefit the Borough with new garden supplies, \$25 per person. Mayor Rape inquired when the next Newsletter would be, it was decided the end of April.

Personnel:

Jason Sarver reported that he and Phyllis (Metz) developed a new job description for the Director of Operations, created some forms and developed a hiring process.

Phyllis Metz reported that they are working on evaluation forms.

Finance:

Joe Dippold reported that the audit will be the same as usual.

Streets:

Don Sims commented that he needed to talk to Frank on a couple ideas. Frank Grannon commented that they need to write a spec sheet.

Greg Such reported that Dave Szakelyhidi requested that Cherry Alley be added to the agenda for discussion. There are some families that have 6 or 7 vehicles and are parking on Monroe Street, the alley is too sloppy to drive on and park behind the houses, Dave asked if Council could have discussion on paving or graveling Cherry Alley. Jason Sarver inquired if there were any millings left. Don Sims inquired what will the Borough do with the millings or waste material from the proposed road work on Pittsburgh Street; can possible use the millings from Pittsburgh Street for Cherry Alley. Josh Meeder commented that he would like to review his request for Aster Alley be taken back into the Borough's maintenance if possible and if not the millings from last year were very helpful, he'd welcome them back. Don Sims commented that if we have left overs, he doesn't want to pay to truck it out. Josh Meeder commented that he would like the Borough to consider taking Aster Alley back, he believes it was vacated. Solicitor Matt commented that you can dedicate it back to the Borough if you have a petition signed by more than 51% of the adjoining land owners; you can dedicate it to the Borough and the Borough can accept it. Mayor Rape inquired to Josh how his tenants would feel about making that alley a one way. Josh responded depending on which way, he doesn't think it would matter. Phyllis Metz commented one way down.

Facilities:

Dave Szakelyhidi had nothing new to report.

Grants:

Greg Such reported that the Tourism Grant application is about ready to submit, the total cost is less than \$3,000.

Local Government Academy has an internship grant Joe and Cathy worked on putting an application together, basically a set of tasking. This is an internship for undergraduate and graduate level students; it is inside work more planning related tasks. Joe (Dippold) put together a laundry list of things that could be done, the salary for them is either \$10 or \$11 per hour and Local Government Academy picks up half. Dave Szakelyhidi inquired what they would do. Joe Dippold responded that he made up a laundry list of things, the simplest way to put it, identify things that we can do better around here, planning, and business change over.

Greg also reported that the intern from Department of Labor & Industry for outside work is possibly still in play.

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Training & Conferences:

Greg Such reported the PSAB Conference is in July. There are more conferences and training listed on the Correspondence List.

Jason Sarver requested Council to look at the 2009 International Property Maintenance Code on-line, he will email Council the link. Jason will be asking Council to consider adopting it at next month's meeting. Dave Szakelyhidi commented that Zelig just passed it, Dave thinks it is a good idea but the Mantia property and the property up by the yield sign comes to mind, what happens then. Allen Bayer responded you will still have problems because they are vacant. Jason stated that it allows communities to enforce these types of things to prevent blight. Allen Bayer commented that there are some extreme points to that code, you need to judicially enforce the code where it makes sense not how it is written. Greg Such inquired if you could edit the code. Solicitor Matt commented that he will need to look at it but he thinks you can adopt a code and exclude certain sections.

Greg Such reported that Greg Hartung, the Mayor of Mars contacted him and is putting together a conglomeration of communities to go after a fasod grant. Zelig, Mars and Harmony. He would like to organize a meeting to sit down and discuss it. Basically he feels that 3 or 4 communities have a better shot at putting in for a grant and getting it than being repeatedly turned down. It is the Keystone Grant. Greg thought we look to see if there is something we could use and then talk to the County Infrastructure Bank to see if we could finance our match.

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 \$ 21,063.

Bills Already Paid in the amount of \$ 8,481.53

Payroll in the amount of \$ 5,900.67

Fire Tax Bills Payable in the amount of \$ 78.20

Silvester Fund Bills Payable in the amount of \$348.00

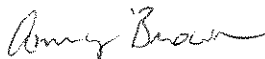
In a motion made by Dave Szakelyhidi and seconded by Jason Sarver,, the Harmony Borough Council unanimously approved all bills for payment as presented on the lists.

Mayor Rape reported that she is trying to get a list of names from the Post Office for the cluster box.

ADJOURN: 8:40 pm

As there was no further business to discuss, the Harmony Borough Council adjourned the March 6, 2018 meeting at 8:40 pm.

Respectfully Submitted,



Amy Brown
Recording Secretary

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

February 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 January Time and Activity Reports.
4. Attended February HARB meeting.
5. Attended February Council meeting.
6. Created one fence Building Permit for 754 Spring St.
7. Spoke with David Coretich, Power Engineering, regarding replacement of grease trap at CVE. I referred David to Tom McCosby.
8. Spoke with Joe, Choice Pools, regarding fencing requirements for an in-ground pool.
9. Spoke with Jason Myer of Myer Construction regarding building permit for bathroom renovation on Bluff St.
10. Inspected flooding throughout Harmony.
11. Spoke to Tim Eppinger regarding cementing a sidewalk on Grandview Ave., building a stone wall on front of lot on Spring St. where he demoed a house last year and inquiring the maximum allowable height for a house.
12. Spoke to Jim Willard, Calvin Church Building and Grounds Committee, regarding demo of house at 110 N. Division St.
13. Spoke with Jodi at Safeguard Properties in Cleveland, Ohio regarding snow removal violation at 562 Main St.
14. Spoke to Vicky Ierardo regarding zoning for a garage apartment at 116 S. Pittsburgh St. Inspected property and told Vicky a garage apartment is not allowed in the R1 zoning district.

15. Spoke to Harry Ellory regarding a garage at 1102 Seneca Dr.
16. Spoke to Karen Wisler regarding chickens running loose at 558 Main St. I drove down the alley to check out the chickens and I will issue a violation accordingly. Created violation for chickens running wild at 558 Main St.
17. Spoke with Lisa from FEMA to confirm my attendance in Butler at the FEMA Final Determination meeting.
18. Spoke with Claire, North American Display, regarding digital signs in the borough. Referred her to Jackson Twp.
19. Spoke with Amy Daily, 128 S. Division St., regarding allowable house height to put a second level on her home.
20. Stopped by the office to pick up mail. Attended the FEMA Final Determination meeting in Butler.
21. Created February Time and Activity Reports.

Respectfully submitted,
Allen E. Bayer