

HARMONY BOROUGH COUNCIL MEETING April 5, 2005

COUNCIL MEMBERS PRESENT: Dave Rogers, Russ Ottney, Dave Szakelyhidi, Jeff Smith, Gary Habsburg, Harold Herr, and Mayor Cathy Rape.

OTHERS PRESENT:

Sharon J. Blumick
David J. Blumick
David J. Blumick
David J. Blumick
David J. Blumick
David J. Blumick
David J. Blumick

CALL TO ORDER: Jeff Smith called the regular council meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

MINUTES:

Harold Herr made a motion to accept the March 1, 2005 minutes as presented. Dave Szakelyhidi seconded the motion. Motion carried.

RECOGNITION OF GUESTS: No Comments.

CORRESPONDENCE:

1. Letter from Jane Orie's Office RE: EIT collection
2. Letter from Gary Berkstreim concerning 200 year celebration
3. Letter from PSAB U/C Plan
4. Letter from PO – not interested in renting the Borough Building
5. Information on PSAB Annual Conference
6. Assortment of information flyers on seminars and training workshops
7. WBCA minutes
8. Letter concerning the National flood Ins. Programs

SOLICITOR'S REPORT.

Attorney, Matthew Marshall reported that:

The Ordinance needs 1 month's notice to advertise for the hearing.

He reviewed Mr. Huy's site plans

He reviewed the matters on Creekside

He would like an executive session at the end of the meeting to discuss litigation.

COMMITTEE REPORTS:

Discussion on GASB 34 whether to be compliant or not. Tabled until the next meeting.

PHYSICAL ASSETS.

Gary Habsburg reported that the new truck is not under construction by Ford. Russ Ottney suggested looking at state vehicles. Dave Rogers made a motion that Chuck Beighey look into it (getting prices on a state vehicle). Harold Herr seconded it. Motion carried with Dave Szakelyhidi opposing.

PUBLIC SAFETY:

Russ Ottney stated that the next meeting with the police is May 3 at 6:15 PM.

COG:

The COG meeting was held in Zelienople.

WATER AUTHORITY:

The bid opening for the backwash holding tank project will be Friday, April 8.

PARKS:

Harold Herr made a motion to adopt a resolution to apply for a grant to put the boat launch ramp in the creek, ~~by the creek~~. Gary Habsburg seconded the motion. Motion carried.

PLANNING COMMISSION:

Dave Rogers made a motion to approve the Huy plans. Russ Ottney seconded the motion. Motion carried.

ZONING:

Dave Szakelyhidi made a motion to advertise the Zoning Ordinance contingent on a timely response. Gary Habsburg seconded the motion. Motion carried.

Harold Herr made a motion to approve the revised parking lot regulations. Gary Habsburg seconded the motion. Motion carried.

SUMMER HELP:

Dave Rogers made a motion to hire one summer employee at \$8:00 per hour for up to 30 hours a week. Discussion. Motion passed at last meeting.

FLOOD CLEANUP:

Discussion. Mr. Wahl submitted no plan for cleanup of his property on Astor Lane. Blackie Such did not submit a plan for cleanup of his property on Monroe Street. Attorney Marshall explained the procedure to follow up with the clean-up of the property.

Gary Habsburg made a motion to have a nuisance hearing on April 14 at 6:30 and 7:30 PM on the Wahl and Such property at the Borough Office. Harold Herr seconded the motion. Motion carried.

Dave Szakelyhidi suggested sending a letter to Yorktowne Casket stating that the buffer fence is gone.

NEW BUSINESS:

Fema Mitigation Program: Dave Szakelyhidi made a motion to apply for the three identified property owners for HGMP (Fischer's, Statzer's, McCall's properties) and if requested to consider others. Harold Herr seconded the motion. Motion carried.

Discussion on the Creekside Manor letter from Bill Hummel. (The plan has already been approved by Harmony Borough. Jackson Township has not approved it yet.)

Dave Rogers made a motion that Bill Hummel stay involved with Creekside. Dave Szakelyhidi seconded the motion. Motion carried.

Mantia Property: Harold Herr made a motion to pursue the multitude of violations with no extensions of the Mantia property. Dave Szakelyhidi seconded the motion. Motion carried.

April 5, 2005

Harold Herr made a motion to hold a nuisance hearing on the Mantia property on April 14 at 7:15 PM. Dave Szakelyhidi seconded the motion. Motion carried.

Mayor Cathy Rape brought to Council's attention that the Long Term Committee is having a clean up day on April 23.

BILLS PAYABLE:

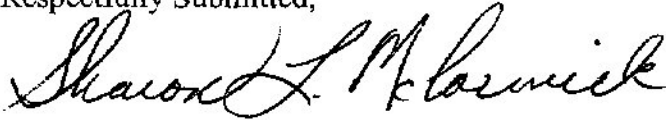
Harold Herr made a motion to pay all bills as presented. Gary Habsburg seconded the motion. Motion carried.

EXECUTIVE SESSION was called at 8:56 PM to discuss litigation.

The Executive Session ended at 9:06 PM. No further action was taken.

ADJOURN: Meeting was adjourned at 9:07 PM.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Sharon L. McCormick".

Sharon L. McCormick
Secretary

NUISANCE HEARING
April 14, 2005

The Nuisance Hearing was called to order at 6:34 PM to hear public comment concerning certain properties in Harmony Borough to determine if such properties are considered a nuisance.

Harold Herr made a motion to pass a resolution for designation of an agent. (Authorized to execute for Harmony Borough all required forms and documents for obtaining financial assistance for the Hazard Mitigation Grant Program). Dave Szakelyhidi seconded the motion. Motion carried.

Attorney Matthew Marshall swore in those speaking at the hearing.

Council President, Jeff Smith presented pictures of the Harry and Donna Such property showing:

- Dangerous Structure – Garage (roof collapsing, building leaning)
- No apparent clean-up inside house (mold danger)
- Junked vehicles

Attorney Marshall presented a copy of the letter sent to Harry Such and a notice of the hearing. He made note that it would be supplemented with the advertisement of the hearing.

Donna Such agreed that the garage is in bad shape and needs to go. She questioned how anyone would know that there might be mold inside. She stated that the basement and floors had been power washed, wall and floors scrubbed, and the furniture destroyed. The heat and electricity has been on. It is on their agenda to be finished this spring. The outside has been cleaned up.

Blackie Such questioned why the vehicles were called junk vehicles.

An Executive Session was called at 6:55 PM. Out of Executive Session at 7:05 PM.

In the next 2 weeks MDIA is to look at the Garage on Monroe Street and list what needs to be done. Cars that are not registered are to be moved. Council will take their word that the inside is cleaned. The MDIA checklist needs to be completed within the next 2 weeks. If it is not Council will decide whether the property is a nuisance.

Attorney Marshall swore in those speaking at the Richard Wahl Hearing.

Council President, Jeff Smith, presented pictures of the Richard Wahl property showing:

Overtured Oil Tank	No Steps to Entrance
Boarded Windows	No Utilities
Torn Skirting	No Apparent Clean-Up

Attorney Marshall presented a copy of the letter Mr. Wahl received.

Richard Wahl stated that the flood insurance paid off the trailer. Normans are trying to get the insurance company to move the trailer. Mr. Wahl requested 30 days to have Normans remove the trailer. If she doesn't have it removed, he will see that it is removed.

An Executive Session was called at 7:15 PM. Out of Executive Session at 7:25 PM.

Jeff Smith stated that Council will wait 30 days before voting whether the Wahl property is a nuisance or not.

Mr. Wahl assured Council that the trailer will be removed by June 1.

Attorney Marshall swore in Chuck Beighey and Ron Mantia.

President, Jeff Smith presented pictures of the Mantia property showing:

Partial List of Problems:

Dangerous Structure -- No downspouts/guards

Roof debris falling off of roof

Broken Window

Hazardous porch

No plans to make any structural repairs

No electricity with no plans to have any

Attorney Marshall presented a copy of the letter that Mr. Mantia received.

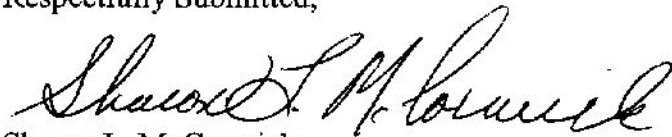
Ron Mantia stated that he will fix the property up. He is working on windows, putting a new front on, putting on shutters, taking down trees in the back to make parking, etc.

An Executive Session was called at 7:40 PM. Executive Session ended at 7:50PM.

Jeff Smith told Mr. Mantia that he needs to have MDIA inspect the property prior to the end of the month and provide Council with a copy of the inspection report. Council will wait until the next Council Meeting to make a decision. Mr. Mantia also needs to go to HARB. Council will postpone the vote until both things happen.

Hearing adjourned at 7:55PM.

Respectfully Submitted,



Sharon L. McCormick
Secretary