

August 4, 2015

HARMONY BOROUGH COUNCIL MEETING August 4, 2015

COUNCIL MEMBERS PRESENT: Phyllis Metz, Dave Szakelyhidi, Greg Such, Jason Sarver, Don Sims, Jarod Stewart, and Mayor Cathy Rape, Frank Luek attended via speaker phone.

OTHERS PRESENT:

Harmony Boro Council Meeting

August 4, 2015

Jason Sarver
Cathy Rape
Wade Lou

Ann McGee

Harmon von Rintelen

Jacob Perri

Taylor Vandy

Jim Mully

Frank Rice

FRANK GRANITE

Americo Allegretto

Susan Attorus

Jason Calabro

Sandy Ferraro

Jim & Linda McCoub

Joe Dipold

Joan Ruest

Barry Cole

Phyllis Metz

Bob Lee

Paul Miller

Jeff Thompson

Kevin Luek

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CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE:

MINUTES:

Mayor Rape requested a correction be made to the minutes, page 9 should read HBA not MBA. In a motion made by Don Sims and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the July 7, 2015 minutes with the correction.

SOLICITOR'S REPORT:

Solicitor Matt reported on the issue with the Trail that came up last meeting regarding opening the portions that weren't a danger to residents. Matt communicated to the owner's attorneys and was told that the issue would be resolved and it should be open. Jody Correll inquired about the camera. Greg Such responded that he did not see a camera. Solicitor Matt commented that the owner's lawyer did express concern about no trespassing signs they had put up on the boundaries of the trail, it was explained the signs were put up to make sure nobody wandered off the trail into the development area and got hurt; those signs were taken. Matt also reported they should be done September 1st.

Tax Collector – Greg reported the current Tax Collector does not live in the Borough and according to the Borough Code residency is required. Due to Doris's passing, the Tax Collector will need to be on the November ballot. Generally the Tax Collectors are recommended by Party Committee people, but if anyone is interested contact Jim Hulings or the Democratic committee person (not sure who it is at this time). Jarod Stewart inquired what the procedure is if we can't find somebody to fill the vacancy. Matt responded that if we cannot fill a vacancy it goes to court and the court appoints somebody. Solicitor Matt also commented that we also have a Deputy Tax Collector who would handle those duties while the Tax Collector office is vacant. Ann McGee expressed interest in learning more about the Tax Collector. Solicitor Matt suggested the newpa.com website, municipal resources, tax collector publication to anyone interested in learning about the Tax Collector position.

Greg reported there will be a Flood Plain Webinar organized by PA DCED that will walk through the ordinance.

SPECIAL ITEMS:

Jason Calabro – From Lakeshore Entertainment Company in California is looking for an iconic town that symbolizes from a previous era. The director, Ewan McGregor will also be starring in the movie along with Jennifer Connelly and Dakota Fanning. Storyboards were distributed to Council as Jason explained the storyline. There would be four scenes that would require street closures. The proposed filming day is October 5th. In a motion made by Jarod Stewart and seconded by Don Sims, the Harmony Borough Council unanimously approved the filming of American Pastoral, contingent on an Event Form and Certificate of Insurance be submitted to the Borough. Roger Correll inquired what the name of the town would be in the movie; Old Rimrock will be the town.

Spring Street – Greg Such reported there's an issue with drainage, Bill Hummel, our Engineer looked at that area and Wade also did some investigation. There has been repeated flooding on Spring Street at First Street especially this spring. Bill Hummel reported they did a study on this in '97, they ran elevations from the intersection of Spring and First Street to the Connoquenessing; until you get passed the railroad there is almost no fall; less than 1% of fall. The trash grates need cleaned out that are on private property, there is a damn on the creek backing water into the culvert under the railroad also on private property and the railroad pipe is starting to silt up. You can't really see the pipe until you get up to German Street, from German Street up to Rt. 68 the pipe only has ¼" fall under Dambach's parking lot; it's basically a flat pipe and the pipe is silted up. The culvert under Rt. 68 is Penn Dot's and the culvert under Dambach's parking lot is Dambach's. The pipes that are the Borough's are at Spring and First Street, German Street and the under Mercer. Bill thinks the pipe under Dambach's is the main culprit, he spoke to someone at Dambach's who said that it used to back-up and come out of the culvert on the inlets down along the pipe, now it comes out at the beginning of the pipe. Bill suspects the flat pipe slowly silted up and needs to be cleaned out. It was discussed who would be responsible for cleaning out the pipe. Dave Szakelyhidi recommended sending the property owners a courtesy letter requesting they clean out the pipe.

Wade reported that he had State Pipe and Insight Pipe in. The outlet over by Rambo's where it comes out is only about 6" of pipe; not quite half the pipe is showing behind Dambach's, there's a little bit that goes under Rt. 68 that is not too bad. There's a manhole by Addam's that you can get down into that pipe to clean it out. It's all silted up; DEP permit would be required to get into the creek to clean it out. Dave Szakelyhidi recommended sending a courtesy letter asking the property owners to maintain the pipe. Greg Such stated we would need to send a letter to Penn Dot, Dambach, the and Railroad. Mayor Rape also suggested the private property owners to clean the grates and take the damn out. Greg commented Tod and the McCormick's own those properties. Wade also reported to have the vac company come in it would be \$300 per hour with a 6 hour minimum; they estimated it would take about 10 days to clean the entire drain. Bill Hummel commented that with the pipe being so flat it is still going to back up with the storms like we've had; there's no velocity, the creek will back it up. Jim McCormick, resident, suggested asking the Fire Company to blow it out, he wasn't sure how many holes we had access to but with 125psi blowing through it should clean it out. Solicitor Matt commented that there are some legal concerns with the liability on that. John Ruch inquired why DEP requirement, is it a run or a stream. Solicitor Matt responded where the outlet is, it's a stream. Bill Hummel commented that the Core of Engineers consider anything with a bottom and banks to be a stream. Dave Szakelyhidi commented that the Sewer Authority has jet trucks. Bill Hummel reported that Ellwood City has a vac truck with a high pressure hose and a vacuum. Solicitor Matt commented some of the other municipalities he represents uses Hydrotech, they have the vac trucks. Don Sims and Matt suggested sending it to committee.

309 Monroe Street – Subdivision. Attorney Jeffrey Thompson introduced himself as Ann McGee's attorney. Jarod Stewart proposed a motion to approve the subdivision that any building permits would be subject to the new floodplain ordinances that aren't in yet, but he believes will be next meeting. Solicitor Matt responded that they can be as soon as next meeting. Solicitor Matt also stated that their (Ann McGee's) property is within the floodplain area. The new FEMA flood map and the requirement that the Borough (as all Boroughs in Butler County) are required to do an update of their floodplain map to comply with FEMA requirements. We have already put together a Floodplain Ordinance, FEMA tells you what goes in it, there's certain areas where you have flexibility like who's going to be the point person but for the most part it is a regulation which is governed by FEMA. You can fill in your sections and chose certain areas, then it goes back to FEMA for approval to make sure it complies to make sure people who live in the floodplain can get insurance. We have what Matt will categorize as a FEMA approved ordinance ready to go, at any time we can advertise and hold a public hearing and pass that ordinance. We have held off on it for a couple of reasons; one being the deadline hasn't been set yet because the County hasn't adopted the new Floodplain map yet; the requirements and timeframe to adopt that ordinance doesn't come into play until they adopt the map. The second reason is because there has been some training going on, like the one we talked about (August 18 webinar) so people on Council can better understand what we're looking at, what the regulations mean, and what the changes are; part of it was to make sure Council was fully informed at the time they do the adoption of the ordinance. Thirdly to give everyone a chance to look at it, it's substantial. The motion on the floor is to approve it subject to any building permits being subject to the new floodplain ordinance that maybe in place by the time you apply for the building permit. Ann McGee inquired if they are already aware of all this, the updates and that was discussed two meeting ago. Attorney Thompson inquired that Council is talking approving the application as submitted subject to. Solicitor Matt said yes, the suggestion is, because they have to vote on it, is to approve the application for the subdivision as presented upon two conditions; one is the parking restriction that Zoning put in there and two would be that any building permits on it are subject to the new FEMA approved regulation. Ann McGee commented that they already have an elevation that Bill Hummel gave on surveys. Attorney Thompson commented to Ann not to talk herself out of an approval. Don Sims seconded the motion. Jarod Stewart inquired if it was a conflict of interest for Bill Hummel doing the drawings for Ann and also being the Borough's Engineer; can't review your own work. Solicitor Matt asked Bill what he thought. Bill responded that in different communities he's asked if he does work in the community if it would be considered a conflict and they stated no if it's not something he would have to review. Greg Such commented that he couldn't design and review both. Matt stated Bill couldn't draft it out and then review it for the borough. Anything where the Borough Council would see an application and Council would want Bill to review it and we see he's on it, we would have to contact him immediately and say there's an issue here we'd want you to review that. There's a motion and a second, Greg asked if its acceptable terms and Attorney Thompson responded that he doesn't think they have to agree to anything; you issue your approval. Solicitor Matt responded that they can, if it's a condition and they are agreeable they can let us know. It can change the aspect, depending on what the condition is; like the parking

309 Monroe Street – Subdivision Cont.:

one is governed by Zoning and this one is more governed by the Floodplain Ordinance, it streamlines things if it is something you're agreeable to. Is it something they agree to before Council vote on it? Attorney Thompson responded the parking one speaks for its self obviously. When the building permits are applied for he assumes whatever law is in place at the time is the law, it's hard to agree to the ordinance that's not passed. Solicitor Matt responded that the ordinance is not in place yet and his decision that will be issued, the characterization of how he drafts it will change based on whether they agree or don't agree. Bill Hummel commented that the Borough has a floodplain ordinance in place; they're under that one until the new one is adopted. Matt responded that is correct but what Council is saying is we're going to adopt a new one and we want any buildings to be subject to what we've applied for and be granted by FEMA already. FEMA has given us an approved ordinance that we haven't adopted yet. We have an ordinance that is going to go into place but hasn't been put into place yet. What Jarod is suggesting, and it may be in place by the time they apply for a building permit and then it will be a moot point, but if something goes wrong, we haven't approved yet, it's not on the books yet. Barb Gutzwiler inquired if that would delay the building permit therefore construction. Solicitor Matt responded that it depends. Attorney Thompson commented that Matt's decision could simply say approval upon the condition that any new building permit is subject to the new ordinance. Solicitor Matt agreed that is what they are saying. Attorney Thompson commented that he (Matt) doesn't have to say they consented to it. Solicitor Matt responded that when they consent to a condition, Council has a right to put a condition on an application, if the property owner agrees with that it's deemed as an approval. Matt's decision can be that it's been approved with these conditions. If they don't agree to it, then Matt has to write an opinion as to site to the ordinance; there are different things his decision has to say whether they agree to it or they don't agree to it. That is why Solicitor Matt would like to know on record if they do or don't because he needs to know how to draft his opinion. In either event, if it's voted on and approved, it will be approved with the same language. The approval will look exactly the same, but his decision has to look different. Attorney Thompson commented as long as it doesn't make any difference on the approval he would like to reserve the consent until he sees Matt's decision. Solicitor Matt inquired if they don't consent, on record. Attorney Thompson replied he doesn't have anything to consent to; he doesn't have the new ordinance. Jarod Stewart inquired if Council should delay it until next month. Solicitor Matt commented that there's a first and second. Jarod responded that if they're not going to consent to it he will make a motion to deny the approval for the subdivision. Solicitor Matt commented that there's a first and second on the floor, you can withdraw your motion. Don Sims withdrew his seconded. Mayor Rape inquired if Council would adopt an ordinance without the official FEMA Map being official. Solicitor Matt responded that Council can adopt it next month. Attorney Thompson inquired what the timeframe was in adopting this ordinance. Solicitor Matt responded it is up to Council on what they want to do. Dave Szakelyhidi commented that the stumbling block is who administers it. Solicitor Matt responded that right now it's drafted as the Council President. Dave Szakelyhidi commented that the problem is whoever it is has to be knowledgeable and take the schooling. Attorney Thompson asked Solicitor Matt if he could give a timeframe when he

309 Monroe Street – Subdivision Cont.:

thinks this is going to happen, will it happen within the next 30 days. Solicitor Matt responded, within the next 60 days for sure. Attorney Thompson inquired if a building permit is filed and you don't have the ordinance passed does that hold up the approval of the building permit; or is it under the existing ordinance. Solicitor Matt responded theoretically and legally it's the ordinance that is in place when the permit is filed. It depends on the timing when Council does it. It's there, it's ready to go except for the decision on who is going to be the administrator of it; right now it's drafted as the Council President and that's been approved by FEMA. We can change it to whoever we want; sounds like it's going to be the Zoning Officer. Attorney Thompson commented on that assurance they consent. Jarod Stewart made the motion to approve the subdivision plan as submitted with two conditions; one the parking restriction as noted by the Zoning Officer and two, the building permit will be subject to the new FEMA ordinance which Council is going to adopt. Don Sims seconded the motion. Jarod Stewart commented just to clarify the building permit cannot be issued without the new ordinance in place, advertised and approved. Solicitor Matt responded yes, that could be a hold up if that were to happen. Attorney Thompson responded that was the opposite what Matt said to him when he asked if the building permit was applied for prior to the passing of the new ordinance. Solicitor Matt replied, theoretically and legally the way it is they would be subject to the current ordinance, but with the condition it would not. Attorney Thompson commented that we both need to have some good faith and good will that you are proceeding as quickly as you can and we will be as reasonable and accommodating as possible. Jason Sarver commented that Council is being very careful, it has nothing to do with these people, it's the concept of development building in any of the flood areas in town. Motion carried. Bill Hummel commented on the Floodplain Ordinance the three townships that we works with, Franklin, North Sewickley and Marion the secretary is the administrator and turning it over to the County Soil Conservation who are trained for the review. Dave Szakelyhidi asked John Ruch's opinion on that. John Ruch replied there is a huge difference from what he has seen from both organizations. There is a huge difference from a performance standpoint and how they manage things between Beaver and Butler County's Soil Conservation Districts.

BOARD REPORTS/APPOINTMENTS:

Appointments:

None

COG:

Greg Such had nothing new to report.

BOARD REPORTS/APPOINTMENTS CONT.:

HARB:

Dave Szakelyhidi reported on two Certificates of Appropriateness that HARB approved and recommended to Council.

Visitor Log Cabin – Scout Henry von Rintelen, Eagle Scout project. Install 12' ADA ramp on front right of cabin, 6' wide with already approved 36" high railing; install gravel path leading to parking area and to install protective barrier under cabin to keep animals out (wire screen or similar material). In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for the Eagle Scout's Visitors Cabin Project.

520 Main Street – Nick Prater – Paint house surface (Northern Pike) slate blue, paint block at foundation (Artful Twist) gray. Install entrance light above door (oil rubbed bronze), install 6' gate white stain to match existing fence. Replace one front step - concrete to natural stone. Strip front door and finish with natural stain. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 520 Main Street.

510 Main Street – Jim McCormick – Jim inquired if there was anything on his fence. Jodi Correll (HARB member) commented there wasn't anything they could do without the Zoning Officer there; the discussion was minimal. Jim had installed a chain-link fence, he's in the Historic District and did not have HARB approval; he came to the HARB meeting last night and apologetically said he did wrong.

Jim McCormick commented that he did have a building permit. His wife has had numerous back surgeries, the dog was getting aggressive, the Police were called. The contractor had a change in their schedule and could come sooner; HARB didn't meet for 30 days. The fence was installed, it wasn't attached to the house or garage, it did not do anything to the face of the house; there are set-backs, Jim didn't think there would be a HARB problem. Jim said he had to do something, didn't want anyone to get hurt, and his wife couldn't chase after the dog, they put a 4' chain-link fence up to keep the dog in their yard. Jim commented when the Historical District first went through, which he was forced in to, you were allowed to do certain things to the back of your house without HARB's approval. He was on Council when it occurred, he doesn't know how it was changed. Solicitor Matt replied that nobody chooses their zoning. Jim inquired why it is hurting HARB to have that fence up. Solicitor Matt responded that he doesn't know if it is hurting HARB but in the Historical District you're subject to regulations and the way those regulations are written you have to file an application and get HARB's approval. Jim inquired how it is constitutional to force people into the Historic District and the rest of the town doesn't have to follow those regulations. Solicitor Matt responded that it's zoning and zoning is

HARB Cont.:

510 Main Street Cont.:

constitutional. Jim inquired if HARB doesn't like something if they can turn you down. Solicitor Matt commented that it doesn't work that way, there are certain criteria in an ordinance, there are guidelines and there is an appeal process. Greg Such commented that the fence is visible from the street, Jim got a little ahead of himself and he understands the circumstances; Greg recommended Jim talk to HARB and hopefully they can work it out.

Water Authority:

Greg reported that the Water Secretary posting is done, the new person has been hired.

Parks Board:

Susie Altemus reported the Parks Board unanimously decided to move ahead with the landscaping at Wood Street Park using the \$5,000 donation from Mark Beighey. They put a deposit on the landscaping project, the project is to create a screen planter bed along rear border on the Park; this was originally submitted in a grant but was turned down. The Parks Board would like Council's permission to put electric at Wood Street Park, behind the kiosk; funding from the Silvester. Don Sims inquired if the electric would be accessible to the public, doesn't want someone to be standing in water and plug something in; Susie responded it would be locked. In a motion made by Phyllis Metz and seconded by Don Sims, the Harmony Borough Council unanimously approved the electric at Wood Street Park.

There will be movies at the Canoe Launch, August 14th, 21st and 28th; the movie will start around 8:30. Last year the movies were well received and attended.

The last concert will be August 13th, the John Burg band.

Susie also thanked Solicitor Matt for opening the Trail.

Susie reported that the Wine Walk was a success, it did very well. Jodi Correll commented that the Wine Walk was really nice, a lot of people participated in it. Jodi suggested doing it a couple of times a year with different charities benefiting from it. Greg Such commented that it takes a lot of organization, table it and think about it.

Planning Commission:

Frank Luek reported there was no business.

Western Butler County Authority:

Harold Herr had nothing new to report.

Shared Services:

Greg Such had nothing to report.

Parking/Signage Events:

Greg Such commented on the new stop signs. Dave Szakelyhidi inquired how long after the stop signs were installed before a truck went into the Square. Harold Herr responded two minutes. Chief Miller recommended another sign, "ALL Trucks

Right Turn.” Jason Sarver recommended removing the other signs, “Except Local Deliveries.” Greg Such asked Frank and Wade if they could get the other sign (All Trucks Turn Right) and remove the local deliveries sign. Frank Grannon inquired where to put the new sign. Chief Miller commented right below the stop sign and not to worry about it, they’ll handle it. Mayor Rape commented that another sign is needed on Mercer Street, “No right turn for trucks” from Mercer onto Main into the Square. Greg Such recommended starting with the first sign (All Trucks Turn Right) and see how things go, if the second sign is needed, we can put it up.

Historic Harmony:

John Ruch reported that Council will be receiving a communication from Historic Harmony’s Board recommendation in regard to the Floodplain Ordinance revision. Solicitor Matt requested John copy him on that.

John reported the Antique Gun Show is this week-end.

Murphy Tractor site blasting is to start tomorrow, not going to be extensive. In talking to the blasting company a couple residents on Jackson Street, their garages were checked and photographed to make sure there weren’t any complaints about damage later. That wasn’t because of the blasting company’s requirements; that was the developer’s insistence because of the attitude of the people in Harmony. Phyllis Metz commented that the people up on Mennonite Lane were also contacted. John Ruch commented that Grace Church, the Wise’s and Historic Harmony were never contacted.

Preserving Harmony continue to do a lot of investigating and monitoring.

Fire Company Report:

Dave Szakelyhidi reported there was a meeting last night. Greg Such reported the Fire Department are developing Standard Operating Procedures & Guidelines (SOG) and Fire District Policies; the Fire Department emailed a copy to the Borough to review or to be made aware of.

PUBLIC COMMENT:

Gary Rice – A few months ago he read that Rodgers would not be allowed to fill the area behind Wise barn, there’s quite a bit of fill going in now and inquired if Council could comment on that. John Ruch commented that Rodgers was not prohibited from putting fill in the floodplain. He modified his plan so he would not have to deal with DEP or the Army Core of Engineers. He promised to stay out of the wetlands, promised to stay out of floodway otherwise he contends to fill the floodplain. Jackson Township has not enforced their Floodplain Ordinance. At this point he’s allowed to do what he is doing with some restrictions. Greg Such commented that Preserving Harmony is keeping a pretty close eye on this. Dave Szakelyhidi inquired if an executive session could be held to discuss it. Solicitor Matt commented that an executive session could be held. Mayor Rape commented that if anybody is on the trail and sees wetlands being violated, take pictures. Cathy stated there are about 18 wetlands on that property. Greg Such recommended Gary talk to Preserving Harmony, John Ruch commented that Josh Meeder would be the primary contact.

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PUBLIC COMMENT CONT.:

Claire Spinks – Inquired if Council has heard anything about the Speedway Gas Station they're projecting to put in where the old motel was. She recommended Council look into it.

Cathy Gilg – 625 Wood Street – Cathy inquired what was happening with Wood Street. Greg reported that the gas line will be replaced. Dave Szakelyhidi commented that the Gas Company will be there later this week. Jodi Correll inquired if the Gas Company will notify the residents; Dave replied that they told Dave they would be there later this week. The gas line will be dug up and buried under the road in sand. Cathy Gilg reported that the issue she has with that is the machine used to pound has created cracks in living room ceiling into the hallway. It was recommended that Cathy send a letter to the Water Authority. Cathy Gilg also inquired how wide Wood Street is going to be. Don Sims responded 24'; he will do a presentation later in the meeting. Cathy inquired how she addresses the safety issue of the street being 3 feet away from her stoop. Don Sims commented that he did not see it as a safety concern. Cathy inquired if she could keep her stones; Don Sims responded that she may keep her stones.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Greg Such inquired about the burglary in the Borough, Chief Miller will need to look it up and call Greg tomorrow.

Office:

Amy Brown had nothing to report.

Greg Such will give report on the pc back-ups next month given the number of items on the agenda. Jarod Stewart recommended that they just budget for it next year.

Borough Supervisor:

Wade Ion reported on the catch basins, there are four that are really bad, Harmony Heights, Old Little Creek and Seneca Drive has two. The cost would be about \$2,800 to dig out both sides, reform the outside and inside. Wade also reported on the tin whistle pipe that goes under the street at the visitor's cabin. Don Sims commented the catch basins that are in the street should take priority because someone can put a wheel into them. Wade Ion reported the one catch basin in the yard is a safety issue, there are small children at that property; discussion. In a motion made by Phyllis Metz and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the replacement of the four catch basins. Jason Sarver requested a cone be put back on the tin whistle pipe on Main Street. Wade is to get prices to repair the tin whistle pipe on Main Street. Jarod Stewart commented that it was budgeted to repair this year.

Greg Such reported that the Street Committee recommended leaving the trees in the Square, removing in the fall and replacing in the spring.

The new Triangle Sign is in, it needs to have lightening.

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Zoning & Code Enforcement:

Allen Bayer's report attached.

COMMITTEE AND OTHER BUSINESS:

Public Safety:

Phyllis Metz reported the next summer concert will be August 13th with street closures. September 7th is the Mosaic 5K sponsored by Grace Church, everything is in; Phyllis needs to check street closures on that. The Jazz Festival, August 29th and the American Pastoral Movie all have been approved.

Jarod Stewart inquired on the Commercial Fire Inspections, why the Borough is concerned if they're being done. Greg Such replied that there are a number of Commercial businesses in the Borough that should be inspected, the Elementary School is also one; and it is the result of the Fire Marshall coming to Council and requesting we implement a Commercial Fire Inspection Program. The Safety Committee received a proposal and will discuss it at the next Committee meeting.

Business Development:

Mayor Rape reported that the new triangle sign is paid for and it looks wonderful from Rt. 68. The backside looks like big red things; Mayor was looking for a volunteer to paint "Danke Schön" or "Come Back." Greg Such suggested "Thank you for visiting Harmony." Jodi Correll commented that she would paint whatever Council wanted on the back. Dave Szakelyhidi recommended getting the solar panels for lighting installed first.

Mayor Rape also reported that she attended a municipal peoples meeting at Seneca Valley School District this morning, the municipalities that are going to be expanding were not in attendance (Jackson Township and Forward Township). Seneca Valley School District is doing a feasibility study; it should be done by October. People will be getting the survey in the mail or on-line, would like everybody's input. They're looking into adding-on or building a new school in Evans City; Haine School is also very full.

Cathy also reported that 3 pallets are missing from the parking lot; the Borough would get money back when the pallets are returned to the landscape company. The Borough will not get as much since someone stole 3 pallets.

Mayor Rape also reported that she will be posting websites for floodplain insurance on the bulletin board.

The bollards have been approved; she would like to keep the cones around the planters until she gets the steel pipe in the ground. Cathy reported that she would like to keep this moving and would like to make the PA One call and dig holes. She also commented that she's looking for a volunteer to dig the holes.

COMMITTEE AND OTHER BUSINESS CONT.:

Personnel:

Jason Sarver reported he needs to keep moving on the handbook.

Finance:

Jarod Stewart reported that he needs 5 minutes in executive to discuss personnel health insurance benefits.

Jarod reported on the Fire Tax Milage, the fire department would like to see it go back up to 1.5; it was 1.5 then it was reduced to 1.35 at the County level.

Jarod proposed getting quotes to include the Real Estate Tax Collection in the audit, with a new Tax Collector coming; he would like to know how much we should be receiving; and the procedures being done. Solicitor Matt commented that we should have our Tax Collection Rate.

Facilities:

Phyllis Metz reported she is trying to get in touch with the man from Penn Power to see where we are with the street lights.

Dave Szakelyhidi reported that 3 trees need to be removed before Wood Street can be paved; the trees are too big for the Borough. The tree at Wood Street Park, the tree in front of Greg's and the stump at Jackson Street that's about 12' tall. Greg Such recommended waiting until Don's Wood Street presentation.

Streets:

Don Sims reported on the Wood Street Project. Don met with WBCA regarding the manhole; it would need to be raised 4ft. WBCA will allow the Borough to raise at the Borough's expense to reline the manhole. Wade received a quote for \$300 per vertical foot; it's almost 20 ft. Don also had an informal quote from an experienced mason for about \$2,000 bottom line is it's out of our budget. Greg Such commented that Plan A is not implementable.

Plan B – Keep the 24ft. width (it's at the opening at Mercer) no major fill work, no elevation change, keep the grade, shorten the entrance and put an apron on Mil Alley, 2 trees on Wood Street need removed, and the 10' or 12' stump on Jackson Street need removed. Jackson Street keep the width the same as the opening, it will be the Water Authority's responsibility to pay for the paving of Jackson Street. Biding on Plan B Don expects to be within our \$50,000 budget. Mayor Rape inquired if Jackson Street was 24ft. wide. Don responded that it is 18ft. Jason Sarver commented that there needs to be enough space for parking. Jason added that you cannot park on Jackson Street being 18ft.; Greg Such commented that there is parking on Jackson Street; there aren't any signs. Greg Such commented that Jackson Street is 18ft. narrowing to 16ft., Liberty Street is 24ft., Monroe is 24ft. curb to curb, Mercer is 18ft. with no parking, and Main is 26ft. Roger Correll commented that there's a problem with putting an apron on the alley, it's almost unnavigable now. Roger feels that putting an apron there will be almost impossible unless you raise the road. Don Sims responded that it will not be almost impossible, he'll change the word apron to opening; they will not be paving the alley. Jodi Correll inquired why

COMMITTEE AND OTHER BUSINESS CONT.:

Streets Cont.:

Wood Street had to be so wide. Don responded that it is his recommendation to keep the streets the width that they are at the opening. Jodi Correll commented that if Council would make Wood Street 22ft. it would save the trees and help Cathy (Gilg). Roger Correll commented that you (the Borough) act like the street has been narrowed, it's been that width from day one; there are four homes that face the road and now you want to make it a thorough-o-fare and it makes no sense. Jodi Correll commented that 22ft. will be wider than it is now. Cathy Gilg reported that she took pictures last Wednesday and there were cars lined up all the way down and in front of her pole – it makes it difficult. Greg Such commented that 24ft. is a general standard that comes from the Greenbook but the first page of the forward says the intent of this policy is to provide guidance, many states however have adopted the values as standards if you're considering this as standard there are other elements to think about too. One is minimum values are either given or applied, if you are in a case where you're redeveloping something you don't have to go to 24ft. There are other critical economic and environmental reasons why we don't go that wide. Dons Sims responded that he is trying to give the best road; if we want to change everything he warns Council that every street they want to do from this day forward they are setting a precedence. Mayor Rape commented that every street is different in the Historic District, and the upper end of Harmony is different than the Historic District; if you chose to make Wood Street 24ft. she would like permit parking for Cathy (Gilg) and the Webbs. Chief Miller said before that we're setting a precedence, but Cathy feels the Historic District is different and should be treated different. Dons Sims inquired what they want to do with Jackson Street. Mayor Rape responded she would like to see it 18ft., it would help ambulance and fire trucks get thru easier. Don commented that they're willing to improve one street but not another. Residence and President of Council, Greg rebutted that they are improving the other street by making it 22ft.

Greg Such commented that if they brought it in a little it would give Cathy (Gilg) some buffer. Dave Szakelyhidi commented that he didn't understand Greg's concern about a buffer, the rocks are already there. Phyllis Metz commented that 22ft. would save the trees and save the Borough money. Cathy Gilg asked why the residents on Wood Street couldn't vote on it, they live there. A motion was made by Dave Szakelyhidi and seconded by Jarod Stewart to go with Plan B (24ft. wide). Roll call vote: Phyllis Metz – no

Dave Szakelyhidi – yes

Jarod Stewart – yes

Don Sims – yes

Jason Sarver – yes

Greg Such – no

Jodi Correll commented that it is not right, it is the street that they (Roger Correll, Cathy Gilg and herself) all live on and none of them want it. Greg Such inquired what the residents redress was. Solicitor Matt commented that the streets are under Borough Code, Council governs the streets not the residents. It's the way the law is. Roger Correll commented that the street will be widened a little bit because of the Gas Company putting the gas line in; just pave it to there, it doesn't need to be 24ft. Jodi Correll commented that she doesn't understand why Council wants to put a

COMMITTEE AND OTHER BUSINESS CONT.:

Streets Cont.:

thorough-o-fare in. Jason Sarver responded that his personal thought is because at one end you have Wood Street Park, which the Borough (Parks Board) is doing more for which will generate more traffic and you have the Inn on the other side.

Wade reported that he received a quote back in February and the contractor is willing to stay with his prices. One of the issues was the big tree, it was in his quote to remove the big tree, install 2 catch basins, pipe across the road, 150'x 24' wide; up where the street collapsed will need to be dug up so there may be a little adjustment on this quote. That quote was \$12,000. The asphalt pricing estimated from Penn Dot is \$34,000 for Wood Street, total \$46,000. Don Sims commented that we'd be within our budget. Wade inquired if he could notify the contractor to start and contact Dick Knapko (Penn Dot) for the specs to bid the paving. Solicitor Matt stated above \$10,000 require 3 bids, Wade needs to get 2 more bids. Solicitor Matt commented anything over \$19,000 you need to bid out.

Greg Such stated he is not working night and day for this Borough with his job and not have people pay attention to the citizens on something small like this. Greg commented that he spends hours/days and when people come and ask for something and have it ignored. Dave Szakelyhidi commented that he's warned over and over that a council meeting is not the place to try to engineer something and satisfy everybody in the audience. Don Sims asked Greg to give it 24 hours. Greg Such commented that we're building something nobody on the street want. Jason Sarver commented that we need a standard size road between two areas of our town that are more developed now; he understands the people living there don't want it and he feels for them, but he feels it's a common sense decision. It makes this job difficult. Jarod Stewart commented that widening the street will solve a lot of problems; it gives more room people won't be weaving as much. He also had a decision made tonight that went against what he wanted on the Monroe Street property. Greg Such commented that the discussion is over, he'll hold it for 24 hours and we'll figure out where we go. Don Sims inquired if we changed it to 23ft. if that would change Greg's opinion. Greg commented to make the people on the street comfortable. Greg would like to see a buffer for Cathy, people will be driving up to her front door. Dave Szakelyhidi suggested making the curb against Greg's tree and we keep our Council President. Don Sims commented that it would make it 23ft. Jarod Stewart commented that we have ordinance about planting a tree between the road and the sidewalk, putting brand new asphalt up against a tree seems like a bad idea. Jarod recommended the tree come down. Don Sims inquired if 23ft. would do it; he doesn't recommend it. Greg commented that the Maple tree can go, it would save a couple thousand dollars if it didn't have to, but it can go. Making it 23ft. would give some buffer. Don Sims inquired if Greg would like to make the motion to make Jackson Street 18ft. and Wood Street would go from the curb which is 24ft. and narrow it to 23ft. down the hill. Mayor Rape commented that it would be before the hill to give Cathy (Gilg) another foot in front of her property. In a motion made by Greg Such and seconded by Don Sims, the Harmony Borough Council unanimously approved to make Jackson Street 18ft and Wood Street 23ft. wide.

August 4, 2015

COMMITTEE AND OTHER BUSINESS CONT.:

Training & Conferences:

Mayor Rape reported since we had a debate on zoning, there is a class on Oct. 1, 8 and 15 from 6:30-9:30 \$60/person to learn about zoning.

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 **\$11,212.25**

Bills Already Paid in the amount of **\$19,154.08**

Payroll in the amount of **\$6,081.07**

Parks Board Bills Payable in the amount of **\$223.26**

Parks Board Bills Already Paid in the amount of **\$4,526.00**


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

Greg Such called for an executive session at 9:35 pm to discuss litigation; out of executive session at 10:00 pm.

ADJOURNED: 10:00 PM

As there was no further business to discuss the Harmony Borough Council adjourned the August 4, 2015 meeting at 10:00 pm.

Respectfully Submitted,


Amy Brown
Secretary

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

July 2015

1. Stopped by the office a few times each week to pick up mail and sign violations.
2. Attended July HARB and Council meetings.
3. Returned numerous phone calls to real estate agents and residents pertaining to property zoning, code and building permits.
4. Filing and administrative work.
5. Met with resident at 124 N. Charles St. to review deck construction.
6. Completed building permit for 413 Center St. addition.
7. Met with US Liner VP of Manufacturing and Manager of Product to discuss various past violations.
8. Inspected a maintenance of property complaint at Old Little Creek and Seneca.
9. Addressed zoning questions from Ann McGee.
10. Inspected deck being constructed on Beaver St. without a permit. No permit required due to height.
11. Inspected property on Pittsburgh St. for vegetation violation.
12. Researched ordinances for storm water drainage maintenance requirements.
13. Worked on Harmony Borough sign permit.
14. Inspected house numbering east of Main Street to bridge.
15. Researched house addresses for violations found east of Main Street bridge.
16. Reviewed garage enclosure with resident on Monroe St.

17. Completed 3 building permits. Driveway at 202 S. Charles, stone wall and sign for Harmony Borough.
18. Inspected two properties for fence construction.
19. Completed fence building permit at 510 Main St.
20. Inspected grass and rubbish complaint at 230 Bluff St. I spoke with the resident, who was cutting the grass at the time, and she assured me that the trash would be removed at the next pick up.
21. Talked with a contractor regarding permit requirements for electrical upgrade.
22. Talked with a resident regarding permitting for replacement of an existing mobile home with a modular home.
23. Completed July Activity and Time Reports.

Respectfully submitted,
Allen E. Bayer