

July 2, 2013

# HARMONY BOROUGH COUNCIL MEETING JULY 2, 2013

**COUNCIL MEMBERS PRESENT:** Phyllis Metz, Dave Szakelyhidi, Jim Hulings, Harold Herr, Greg Such, and Mayor Cathy Rape.

**OTHERS PRESENT:**

*Council Meeting  
July 2, 2013*

*JAMES E. HULINGS*  
*Harold Herr*  
*Wade Herr*  
*Jim Miller*  
*Sandy Ferraro*  
*Cathy Rape*  
*Phyllis Metz*  
*John Ruch*  
*ALLEN BAYER*  
*GREG SUCH*  
*FRANK GRANNOLI*  
*Frank Lush*

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**CALL TO ORDER:**

A quorum was reached and the meeting was called to order at 7:00 pm by Council President, Jim Hulings.

**PLEDGE OF ALLEGIANCE:**

**MINUTES:**

In a motion made by Greg Such and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the June 4, 2013 minutes.

**SOLICITOR'S REPORT:**

Solicitor Matt Racunas reported that the arborist report sent to Penn Dot was rejected; the report needs to be in Penn Dot format. Matt will forward the email he received from Penn Dot to Mayor Rape and she can send it to the Arborist to have him format it; once formatted it can be resubmitted to Penn Dot.

Matt reported he is working with the Parks Board on licensing issues for the concerts.

**BOARD REPORTS:**

**COG:**

Jim Hulings had nothing to report.

**HARB:**

Dave Szakelyhidi reported that a Certificate of Appropriateness was approved and recommended by HARB for Brian Tempest at 634 Wood Street for a door. In a motion made by Dave Szakelyhidi and seconded by Harold Herr, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for Brian Tempest.

**Water Authority:**

Dave Szakelyhidi reported that there is a meeting scheduled with DEP on Friday, July 12<sup>th</sup>, not sure of the location yet; it will either be here, New Castle or Meadville.

**Parks Board:**

Susie Altemus was not able to attend the meeting. Jim Hulings reported that the Parks Board would like to get a license for games of chance; 50/50 raffles. They will need to do background checks, cost \$100.00 per year for the license; and you can only make \$2500.00 on it.

In a motion made by Harold Herr and seconded by Greg Such the Harmony Borough Council unanimously approved to try for the game of chance license.

Jim Hulings reported that Joe White offered to work with William Callahan to write grants for Harmony Borough. The grants are 50/50 matching. Mayor Rape commented that she found a secular Harmony Historic District Map. John Ruch commented that the Borough needs to pursue the Certified Local Government program, it's really important.



**Planning Commission:**

Frank Luek was not able to attend the meeting.

**Sewer Authority:**

Harold Herr reported that the new sewer line was installed on the old rat farm (Tollgate Road); they'll be starting a new development.

**Zoning:**

John Rice was not able to attend the meeting.

**Shared Services:**

Jim Hulings had nothing to report.

**Parking/Signage:**

**Events:**

Jim Hulings reported that a race came up, there was some geographical confusion. Sponsor did not realize most of the streets being used were in Harmony Borough not Zelienople. The race is called the Firecracker 5k it will be held on the 4<sup>th</sup> of July. Joella Baker is the contact person; they will take care of security and placing signs. There are no street closures. Phyllis Metz questioned if a Certificate of Insurance was received, Jim stated yes. In a motion made by Greg Such and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the Firecracker 5K to be held on July 4, 2013.

The first summer concert and fireworks were cancelled due to rain. In a motion made by Harold Herr and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to reschedule the fireworks for the July 11<sup>th</sup> concert.

Jim Hulings reported that the Diabetes Association held a bike race thru Harmony without notifying the Borough. The Borough did not receive a Certificate of Insurance, no Swift announcement was sent out to notify residents, no contact information was given, no notification was given to the Police, or Harmony EMS. Chief Miller stated it was an organized event; it's not a race but a ride that has been taking place for the last 8 years. Jim Hulings reported that Jackson Township passed an ordinance that no event can take place unless approved by the Township. Jim would like Harmony Borough to do the same; Jim would like Matt to investigate an ordinance like Jackson Township's. Greg Such stated it is a national ride, it's been taking place for 12 years, and the difference is now the Borough has procedures in place. Phyllis Metz commented that it is a safety issue because the bikes are on streets with vehicles. Greg Such suggested sending a letter requesting they notify the Borough before next year's ride. Phyllis Metz made a motion to have Matt investigate an ordinance. Motion died due to lack of second.

**BOROUGH STAFF REPORTS:**

**Police Report:**

Chief Miller stated he gave Jim Hulings a report. Dave Szakelyhidi questioned if the counters were placed at the Center of Harmony. Jim Hulings stated that the report will be discussed under Old Business a little later in the meeting.

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**Office:**

Amy Brown had nothing to report.

**Borough Supervisor:**

Wade Ion reported that the paving of Pittsburgh Street and Edmond Street will probably take place at the end of July because of Horse Trading Days. Mayor Rape questioned what was being done about the drainage on Edmond Street. Wade stated they will put a rolled curb in so it all runs down.

All the crosswalks and lines were painted," no trucks" sign and "slow" painted on the streets, it went a little over budget.

The US Liner sign is up.

Borough sidewalk repairs were started today; the bike rack will be poured at the same time.

The upstairs is all cleaned out.

Jim is checking on the cost for a permit to dump at the Seneca Landfill, the weight of the dump truck requires a special permit.

John Rice arrived at the meeting at 7:27pm.

Wade reported he received a quote from Suburban Insulation, the quote is to have the borough building attic insulated; the amount of the quote is \$1,419.00. Solicitor Matt stated it is under the bid requirements. Dave Szakelyhidi stated to make sure the vents aren't covered up. A motion was made by Dave Szakelyhidi and seconded by Phyllis Metz to go ahead with the insulation. Greg Such questioned if it was budgeted. Jim Hulings stated it was out of budget, our budget is in nice shape.

Roll call vote was taken. Roll call vote: Phyllis Metz - yes  
Dave Szakelyhidi - yes  
Jim Hulings - yes  
Harold Herr - no  
John Rice - no  
Greg Such - no

Mayor Rape voted yes, and commented before winter; maybe it will save some money. Motion carried.

The Mayor suggested the next time curbs are painted that the weeds/grass along the curbs not be painted. Wade Ion stated they were spray painted.

**Zoning & Code Enforcement:**

Allen Bayer - report attached.

Greg Such questioned the two calls from Dick Stevenson's office. Allen stated it was the same land owner; Dick Stevenson has no authority in local government; it is strictly a borough issue.



**Zoning & Code Enforcement Cont':**

Allen reported that the building permits have a \$10.00 flat rate plus \$2.00 per 1,000; Allen suggested an increase to cover the building permit process. A resolution is required; Matt will draft a resolution and Council can vote on it at the next meeting. Allen questioned if work is done without a permit, should there be an associated fine. Solicitor Matt stated it should already be addressed in the ordinance, it would be a violation of the ordinance, prosecuted at the magistrate, with the magistrate setting the fine, it would require filing a complaint at the magistrate's stating failure to get permit. Matt stated they can work on that process. Greg Such asked what neighboring communities charge for building permits. Allen will check. Mayor Rape suggested \$20.00 flat rate. Harold Herr suggested checking what others charge. Allen stated that PCI charges a minimum of \$100.00

Mayor Rape reported on a complaint that she received and reported to Allen. The Veterinarian Hospital is on Jackson Township property, but parking is on Harmony Borough property and they are dragging mud onto the street. Wade stated that he spoke to the property owner last year and told him he needed gravel for parking. Chief Miller stated they can be sited for debris on the road.

Jim Hulings questioned if there is an ordinance on house trailers or prefab houses. Mayor Rape commented that you cannot have house trailers anymore. Dave Szakelyhidi stated something is grandfathered in. Jim would like Matt to look at an ordinance on bringing in new house trailer; discussion. Matt stated they would still need to follow set-backs. Matt will look into what we have.

Jim Hulings stated we do not have a sidewalk obstruction code. We have shrubbery blocking sidewalks and shrubbery growing out into the street. There is no restriction on signage in the business district blocking pedestrian traffic, there are vehicles parking on the sidewalks. Allen Bayer stated there is a nuisance ordinance, it is not defined but the way the ordinance reads is Council defines the nuisance. Matt stated we could amend the ordinance to be more specific.

**OLD BUSINESS:**

**Personnel:**

Harold Herr stated there would be an executive session on personnel.

**Finance:**

Jim Hulings reported that power companies are still contacting him to switch suppliers. Jim has not done anything, waiting on rate increase.

**Streets:**

Jim Hulings had nothing to report.

**Public Safety:**

Mayor Rape had nothing to report.

Chief Miller reported that parking on sidewalks is a vehicle violation.

**OLD BUSINESS:**

**Public Safety Cont':**

The traffic analysis took place from June 10<sup>th</sup> thru June 17<sup>th</sup>, the report shows 10,253 cars traveled through, the speed limit is 25 mph; the average speed was 28 mph; 86% compliance. According to Penn Dot Standards, speed is not a problem. Chief Miller stated over 10,000.00 vehicles goes through there; it's a good business opportunity. Mayor Rape will report the findings to Josh (Meeder).

**Facilities:**

Dave Szakelyhidi reported the visitors' cabin is a work in progress. The street grates are done, they were approved last month.

Phyllis Metz reported the upstairs clean-up is also a work in progress, the next thing is the old piano, Dave stated they will have to take out in pieces.

**NEW BUSINESS:**

**Training and Conferences:**

Jim Hulings reported there are a lot of training and conference opportunities available if anybody on Council is interested.

**Personnel:**

Jim Hulings stated that Sharon resigned and asked for a motion to accept her resignation. A motion was made by Harold Herr and seconded by Phyllis Metz to accept Sharon's resignation. Roll call vote was taken.

Roll call vote: Phyllis Metz – yes  
Dave Szakelyhidi – yes  
Jim Hulings – yes  
Harold Herr – yes  
John Rice – no  
Greg Such – yes

Motion carried.

**Finance:**

Jim Hulings had nothing to report.

**Streets:**

Jim Hulings had nothing to report.

**Public Safety:**

The street light request for Harmony Heights is the property owner's responsibility. Dave Szakelyhidi stated it was part of the agreement with the developer; every resident is to install their own light.

Frank Luek arrived at 8:02pm.



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**NEW BUSINESS:**

**Public Safety Cont':**

Mayor Rape reported she received the Flood Insurance Map – preliminary map.

Dave Szakelyhidi stated it is a new map but has not been adopted. John Ruch stated either in March or April he contacted DECD letting them know that there is an error on the map with the Rogers property; it was forwarded to FEMA, no response yet.

Dick Stevenson suggested contacting Congressman Kelly.

Mayor Rape stated she wanted it to be on record that she received the map. Matt stated no action is necessary.

**Facilities:**

Dave Szakelyhidi had nothing to report.

**Business Development:**

Jim Hulings had nothing to report.

**BILLS PAYABLE:**

A list of bills in the amount of \$39,079.03 was presented to Harmony Borough Council as General Bills Payable. A list of bills in the amount of \$4,441.84 was presented to Harmony Borough Council as Bills Already Paid, and a list of bills in the amount of \$1,861.37 was presented to Harmony Borough Council as Parks Board Bills Payable.

In a motion made by Harold Herr and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved all bills for payment as presented in the General Bills Payable list in the amount of \$39,079.03, plus the Bills Already Paid list in the amount of \$4,441.84, and the Parks Board Bills Payable list in the amount of \$1,861.87.

**PUBLIC COMMENT:**

No public comment.

An executive session was called at 8:10pm; John Rice did not stay for the executive session; out of executive session at 8:32pm.

In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to hire a water treatment plant operator.

**ADJOURN: 8:35pm**

Respectfully Submitted,



Amy Brown  
Secretary

**Code and Zoning Monthly Activity Report**  
**June 2013**

1. 13 building permits issued in June and 54 building permits issued year-to-date. Of the 54 building permits issued year-to-date 32 were for sidewalk violations.
2. 5 zoning and code violation letters were sent in June and 87 zoning and code violations letters have been sent year-to-date.
3. Performed several violation follow-up inspections.
4. Attended May HARB and Council meetings.
5. Answered several phone calls regarding building permits, etc.
6. Followed up on several complaints that were brought to my attention.
7. Corrected mailing address at 202 Meadowbrooke Lane with property owner and post office.
8. Requested Zelig police to cite abandoned vehicles on Seneca and Edmonton after my violation notice was ignored.
9. Inspected 2 construction sites.
10. Attended Zoning Hearing Board meeting for variance.
11. Met with Pat Murray to set fire inspections for all of Murray properties in the borough.
12. Attended deposition.
13. Met with Jim H. to discuss sidewalk violations follow up plan.
14. Completed June activity report for Council.