

September 6, 2016

# HARMONY BOROUGH COUNCIL MEETING September 6, 2016

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

**OTHERS PRESENT:**

Harmony Borough Council Meeting  
Sept. 6, 2016

Frank Luek  
Joe Dippold  
WABE ION  
Phyllis Metz  
Dave Szakelyhidi  
Greg Such  
Cathy Rape  
America Allegretto  
FRANK CRANFON  
BOB McCAFFERTY  
Jim Smith  
John Rucit  
Joe Sca White  
Phyllis Metz  
ALLEN BAYER  
Nick & Stacy Hewlett

September 6, 2016

**CALL TO ORDER:**

A quorum was reached and the Vice President Don Sims called the meeting to order at 7:00 pm.

**PLEDGE OF ALLEGIANCE:**

**MINUTES:**

In a motion made by Frank Luek and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the August 2, 2016 minutes.

**SOLICITOR'S REPORT:**

Solicitor Matt reported that he sent Mr. Ruch the updated Triangle Agreement; John Ruch had some comments; Matt did not have a chance to review. Matt will work through the comments and work with the Museum's attorney to get it finalized.

A letter was sent to the trucking company on the issue of reimbursement for the damage to Wood Street Park.

Nick Hewlett – Owner of Knauff Mill – Nick reported there is an issue with the property line. Solicitor Matt stated that it was discussed to vacate the paper street; he needs a legal description from the Engineer or a surveyor. Nick commented that they need to establish where the property line is, there is a discrepancy in the deed history. Solicitor Matt stated Nick could file a claim with the title insurance carrier to clean that up. Solicitor Matt stated that he didn't know if Council would have the answer to where the property line is. Nick inquired if Council would have some requirement to determine the nature of Wood Street or helping them to establish that. Solicitor Matt responded that the Borough would have records, he assumes, of when the street was laid out; but he's not sure if that would set a definite boundary; it depends on how old the maps are. Nick stated there are issues associated with ownership of the trees and the liability of the trees. Solicitor Matt stated if it is a paper alley, then Hewlett's would be responsible for maintenance and dangerous trees that were in there; unless they become a health and safety hazard then the Borough can step in and trim them or do whatever to eliminate the health and safety issue. Solicitor Matt commented that if it is an un-opened paper street, typically the maintenance falls on the adjoining land owners. Solicitor Matt stated that it's available to be vacated, but right now it is un-opened, undedicated, it is just on paper. Dave Szakelyhidi mentioned a quiet title. Nick Hewlett commented that a quiet title would be easier as long as Council doesn't stand in the way. Frank Luek inquired if our Engineer could establish dimensions. Dave Szakelyhidi recommended Bill Hummel; he has a lot of Harmony's history.

Solicitor Matt asked for an executive session to discuss litigation.

**BOARD REPORTS/APPOINTMENTS:**

**APPOINTMENTS:**

Don Sims reported there are no appointments.

**COG:**

Don Sims had nothing new to report.

**HARB:**

Delsa White reported that Sandy Ferrainola is leasing the old Methodist headquarters from the Murray Agency, at the corner of Main & German Street. Sandy will be opening a business, she's thinking about calling it "Harmony Arts and Books"; it will have classes for children and adults. Sandy will present an official hanging sign. Allen asked Delsa to let Sandy know that she will need a building permit for the sign.

**Water Authority:**

Dave Szakelyhidi reported that Monroe Street paving is complete. The water plant Filter Plant Performance Evaluation was completed by DEP, everything went well.

**Parks Board:**

Susie Altemus was unable to attend the meeting, Greg Such read Susie's report (attached).

Greg Such reported on the Lawnworks proposal, it is a little under \$2400, they held back \$2000 from the skid steer sale to help cover the cost, and it is also in the letter to the trucking company who did the damage at the Wood Street Park.

Greg also requested \$300 - \$350 for supplies needed for the September 11<sup>th</sup> volunteers.

**Planning Commission:**

Frank Luek had nothing new to report.

**Western Butler County Authority:**

Greg Such had nothing new to report.

**Shared Services:**

Wade Ion reported that limb pick-up will be this Thursday, September 8 and will be the last one for the year.

**Parking and Signage:**

Greg Such inquired on the Wood Street Parking Ordinance signage. Wade Ion reported he just received the Ordinance last week, and the storm drain project was started, the signs were pushed back; as soon as the storm drain is complete they will get the signs up.

**Historic Harmony:**

John Ruch reported that the literature racks have been installed and the bulletin board is up on the Visitor Center on Main Street. Solar lights to light the porch will be installed next week. September 17 & 18 is the Antique Show.

**Harmony/Jackson Meeting:**

Greg Such had nothing new to report.

**PUBLIC COMMENT:**

**Bob McCafferty owner of the Harmony Inn** – Bob stated that they have made table tents with maps of where to park to try to help with the parking issue. Bob commented that he's thankful they are busy and they are trying to do all they can to help with the parking issue. He will go to HARB with a larger sign of public areas for parking; he would like to post near the brick patio and by the steps on Spring Street.

Bob reported that early on they had a neighbor who was less than professional with them. Bob tried to establish a relationship with him, but now it's to the point where the police are involved. Bob also wanted Council to know they have had four customers who have been kept against their will and charge \$50 - they were on Museum property when this happened; and physical threats while parked at the Volunteer Fire Department lot last month, they have Bob's insurance umbrella on the lot. The Zelienople Police are now involved. Bob stated his managers know to document everything. Jason Sarver commented that it is two business owners, it's unfortunate; he feels the parking and signage is a good concept once it's executed it should help.

**Tod Dominno – 240 Mercer Street** - Tod inquired who is responsible for the "pit of death" located in his back yard. Solicitor Matt inquired if it was a sanitary line or water line. It is a drain. Solicitor Matt suggested checking the records with the Borough Engineer, or checking his survey, it could be documented on the survey that it's a public easement or right-of-way. Frank Luek commented that it was just restored a couple of years ago. Solicitor Matt inquired who restored it. Tod reported that when it was restored he tried to get them to put 12 more feet of pipe in so there wasn't a big pit. Tod reported that there is a 6' x 4' deep hole that someone recently fell into and broke his front tooth, smashed his jaw and needs oral surgery. Tod wasn't sure if he was going to be sued or if the Borough was going to be sued; but the guy took care of it. Tod is also concerned about the 3'-4' deep water that lies there; stating that it's dangerous and he's trying to fix it. Solicitor Matt stated he's not familiar with the area but will check with the Borough Engineer and check the Borough records. Jason Sarver inquired if he could discuss this with Bill Hummel. Dave Szakelyhidi commented that the Borough rebuilt the one under the street. Jason Sarver commented that he understands Tod's perspective; he's trying to protect himself in case something ever happens again. Don Sims suggested Council talk to John and a few others who are more familiar with it.

**BOROUGH STAFF REPORTS:**

**Police Report:**

Report submitted via email.

**Office:**

Amy Brown had nothing to report.

**Borough Supervisor:**

Wade Ion reported that they are working on the storm drain. They already discussed Monroe Street paving, he will have the pavers will come back to pave by the Visitors' Cabin, the Fire Department and the catch basin on Seneca Drive.

**Borough Supervisor Cont.:**

Dave Szakelyhidi inquired about the new house on Pittsburgh Street, there is cold patch in right now and it is sinking. Frank Grannon reported that he talked to the builder last week, Frank received a complaint about the hole in the street, the builder will have a paver in to do the driveway, and the street will be done then. Mayor Rape inquired if Edmond Street would be on with those patches. Wade responded yes.

Wade reported that they moved stones by the Log Cabin. Started to paint some crosswalks, when they got the stencils out they realized the wrong stencils were sent; the ones we received were for a federal highway – they wouldn't fit on our street. They took them back, there is a \$5.00 charge on the bills to be paid, it cost \$5 more for custom stencils. They just picked them up last week. Mayor Rape inquired if Rt. 68 crosswalk would be done. Wade responded that it will, they will need police to assist with traffic control.

Wade inquired on the storm drain sidewalk and inquired how Council wants to handle it; does he need to get 3 bids, should he just hire a cement finisher. Wade stated that Allen wants the entrance paved or replaced; the Borough received a violation on it. Allen Bayer reported that the entrance where the trucks come and go the sidewalk is all cracked up. It's been a problem for about 3 years but was decided at the time that it wouldn't be repaired until the drain was repaired because it was causing some of the sinking of the sidewalk. Allen also commented that the entrance needs to be 4-6" thick with rebar considering the same weight of the fire trucks will be driving over it. Solicitor Matt commented anything above \$10,000 requires 3 quotes. Wade commented that we will need to replace part of the curb. Don Sims commented that he was hoping the Fire Department would be participating. Wade inquired who owns the sidewalk, does the Borough or does the Fire Company own it. Dave Szakelyhidi commented that if the Fire Company owns it, four municipalities would share it. Allen Bayer commented that the Fire Department is autonomous, that mutes out all of the municipalities. Going back before the merger, discussion had it with Tim Sapienza, Jim Hulings and Neal (Nanna) that they would consider doing that in terms of the sidewalk. Now Wade talked tonight that part of the repair is going to cause some of the sidewalk to be removed, so you get into the situation of saying well if you're removing part of the sidewalk to repair the drainage do they have any liability for it. It would be worth it to have a discussion with Tim Sapienza as President of the Fire Department to get his input on it whether he would want to share in getting that corrected.

Don Sims reported that Committee meetings will be October 12<sup>th</sup>.

**Zoning & Code Enforcement:**

Allen Bayer's report attached.

**Public Safety:**

Phyllis Metz reported that all the events went well. The next event is the Sleepy Hollow and the Fleatique in October. There will be a 5K and the Christmas Market in November.

**Business Development:**

Mayor Rape thanked everyone who helped with the creek clean up and for the next one they are going to have to put a plea out for more volunteers. She was told by one of the volunteers that they pulled more tires out than they have anywhere. Cathy also reported that she working with a company to get lights to light up the flag pole; it would be free; just need an electric person to hook it up for us.

**Personnel:**

Jason Sarver reported the handbook is still with Don (Sims), when he is finished it will go to Greg (Such) and then Phyllis (Metz).

**Finances:**

Greg Such reported that budget time is coming up, he stated that Jim used to ask people for project they want to propose for the upcoming year. Frank and Wade would like the opportunity to influence the budget a little bit and suggested everybody start thinking about potential projects.

**Streets:**

Don Sims reported that the skid steer purchase is complete. The Main Street drainage work has started and hopefully will be completed tomorrow.

**Facilities:**

Phyllis Metz inquired about having the windows cleaned in the Borough building. Council agreed to hold off until spring.

**Grants:**

Greg Such had nothing new to report on grants.

Greg commented that next month Council should check to make sure they have spent the required amount in Liquid Fuels.

In a motion made by Frank Luek and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the \$2,390.00 Lawnworks proposal for Wood Street Park.

In a motion made by Phyllis Metz and seconded by Frank Luek, the Harmony Borough Council unanimously approved the \$350.00 for supplies for the September 11<sup>th</sup> volunteer day.

In a motion made by Frank Luek and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the Kellner Fireworks Contract for the Silvester with the \$1500.00 deposit.

September 6, 2016

**BILLS PAYABLE:**

Don Sims reported that the following lists of bills were presented to Harmony Borough Council for approval:

**General Bills Payable** in the amount of **\$9,297.81**

**Bills Already Paid** in the amount of **\$21,675.59**

**Payroll** in the amount of **\$7,631.00**

**Fire Tax Bills Payable** in the amount of **\$15.60**

**Liquid Fuels Bills Payable** in the amount of **\$1,535.00**

**Parks Board Bills Payable** in the amount of **\$41.78**

**Silvester Bills Payable** in the amount of **\$5,088.24**

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

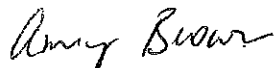
**Executive Session:**

Don Sims called for an executive session to discuss litigation at 7:50 pm; out of executive session at 8:08 pm.

**ADJOURN: 8:08 pm**

As there was no further business to discuss, the Harmony Borough Council adjourned the September 6, 2016 meeting at 8:08 pm.

Respectfully Submitted,



Amy Brown  
Secretary

## **Park Board Report September 2, 2016**

### **Summer Concerts**

- All concerts went well. The rescheduled Kardaz show was reasonably well attended and got a lot of positive comments.

### **Wood Street Park**

- Wedding scheduled for September 29<sup>th</sup> (rehearsal) and the 30<sup>th</sup> (late afternoon).
- Another wedding scheduled for next August.
- Requesting council move forward to approve having Lawnworks repair damage after 9/30. Cost of adding soil, raking, seeding, covering with mushroom manure is \$2390. Lawnworks will need ½ down and a signed contract to start.

### **Swampoodle Park**

- Frank removed the trash can. A “Haul Your Own Trash Out” sign was put on the shelter.

### **Canoe Launch**

- Clean the Creeks 2<sup>nd</sup> scheduled session will take place Sept 10<sup>th</sup>. They will use both the canoe launch and Wood Street
- Placed a “Haul Your Own Trash Out” sign on the back of kiosk

### **Volunteer Day – September 11**

- About 30 volunteers will be come from three Lutheran churches. Please see attached list of activities / locations. Requesting council to approve purchase of \$350 of supplies.
- We will need volunteers to help manage the volunteers!

### **Silvester**

- Silvester planning has started.
- Ordered Silvester shirts (less than last year). Went with white, same brand.
- Replied to Email from Butler County Tourism regarding the need for a stage. This was informational only, they didn't have any arrangements made yet.
- Susie has received the contract from Kellner regarding Silvester fireworks and is requesting \$1500 from the Silvester account for fireworks.

Members: Susie Altemus, Carrie Baker, Mike Cornell, Ron Goehring, Frank Luek, Greg Such, Joan Szakelyhidi



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

**August 2016**

1. Stopped by the office two times each week to pick up mail, complete Building Permits and sign violations.
2. Filing and administrative work.
3. Created July Activity and Time Reports.
4. Attended August Council meeting.
5. Spoke with Wes at 128 Old Little Creek Rd. regarding zoning pertaining to a swimming pool.
6. Spoke with Rachael Campbell regarding cutting down a tree.
7. Performed a vegetation violation inspection.
8. Spoke with Tom Tomayko regarding sidewalk violation at Harmony-Zelienople United Methodist Church.
9. Completed 3 building permits.
10. Worked with Nicole regarding zoning requirements for placement of a double wide trailer at Parkway.
11. Spoke with Brian Kennedy regarding location of double wide trailer at Parkway.
12. Spoke with Brian Kennedy regarding setbacks of double wide trailer.
13. Inspected 2 property violations.
14. Created 12 violation notices.
15. Inspected 12 violations. 9 violations have been corrected and 3 have not been corrected.
16. Created 2 Vegetation Violations and 2 Violation Reminder Notices.
17. Spoke with Timothy Urlacher regarding double wide trailer installation.
18. Reviewed street opening bond for new house construction on Monroe St. and advised John Myer accordingly.

19. Created 1 sidewalk violation.
20. Spoke with Bob McGee regarding acceptable address number in the Historic District.
21. Spoke with Eric Christensen regarding business sign zoning requirements.
22. Drove to 552 Main St. to determine zoning district. Called Eric Christensen to advise him of zoning requirements for a business sign in a C2 zoning district.
23. Spoke with realtor Dee regarding property in Jackson Twp. I advised her to call Nikki in Jackson.
24. Identified sidewalk violation for resident at 552 Main St.
25. Inspected Seneca Dr. for trash can violations per complaint by resident.
26. Inspected gateway sign for vegetation violation per complaint.
27. Spoke with resident Cathy regarding who to contact for a property survey.
28. Spoke with Mr. Eberle regarding sidewalk violation.
29. Left message with Rich Hutchins, 552 Main St. regarding sidewalk violation.
30. Created new Nuisance violation notice template.
31. Created Nuisance Violation notice for location of trash cans.
32. Met with Mr. Eberle to review sidewalk violation.
33. Inspected four properties for possible garbage can violation.
34. Inspected two properties for possible vegetation violation.
35. Processed building permit for sidewalk repair at 431 E. Beaver St.
36. Spoke with Christensen regarding signage and renovation of house for resale at 552 Main St.
37. Processed sidewalk violation on the borough at Wilson Alley.

38. Inspected 4 violations.
39. Inspected vegetation complaint on Mercer St.
40. Spoke with Ron Globalman regarding zoning of a property on Perry Hwy. I referred him to Jackson Twp.
41. Spoke with Craig Barrow, Elder at Calvin Presbyterian Church, regarding potential installation of solar panels.
42. Spoke with Tom Tomayko regarding trash can violation.
43. Spoke with Josh Meeder regarding his vegetation violation.
44. Performed 12 violation inspections.
45. Spoke with Tim Sapienza regarding having a business in a R1 zoning district.
46. Spoke with Bob McGee regarding status of house number at 629 Wood St.
47. Spoke with Eric Christensen regarding porch roof repair at 552 Main St.
48. Spoke with Rick Hutchinson regarding repair of sidewalk violation.
49. Spoke with Elaine, HIP Home Installation Professionals, regarding building requirements in Harmony for storage sheds.
50. Created one vegetation violation for 241-243 Mercer St.

Respectfully submitted,  
Allen E. Bayer