

September 3, 2019

HARMONY BOROUGH COUNCIL MEETING September 3, 2019

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

OTHERS PRESENT:

*Council Meeting
September 3, 2019*

[Signature]
[Signature]
FRANK D. GRANINON

Joe Dippold
Cathy Rape

[Signature]
[Signature]
Phyllis Metz

ALLEN BAYER

Jodi Cornell

Josh Meeder

Rodney Gasch

SGT. KEVIN MIKOLAN

Kathy Jurek

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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 Frank Luek, the Harmony Borough Council unanimously approved the August 6, 2019 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that Greg had some contacts for CSX and Penn Dot, Matt re-did the letter and sent it to those contacts, he is waiting to hear back.

Greg Such inquired if there were anything regarding the truck damage in the Square, Matt will follow up with that. Jason Sarver inquired if we decided to go through the insurance, Greg responded yes. Dave Szakelyhidi reported that we've been looking for the no overhead lines ordinance and haven't been able to find it, he would like to authorize Matt to make a new ordinance. Greg Such responded that the issue before council is that the ordinance that we thought we had for adding additional wiring and public utilities to the infrastructure apparently never made it into the code, Dave (Szakelyhidi) is requesting we start a new ordinance. Solicitor Matt commented that we do not need a motion just a consensus to put something together for Council to look at next month.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported there are no new appointments.

COG:

Joe Dippold had nothing new to report; no meeting.

HARB:

Dave Szakelyhidi reported that there was no action.

Water Authority Board:

Frank Grannon reported that he has two meetings with DEP this week. Dave Szakelyhidi reported that they have done a lot of improvements over the last few years; building over the set basins, new instruments, new lab, the Filter Plant Performance is coming.

Parks Board:

Greg Such reported that there was a wedding in Wood Street Park last week, and the Silvester is coming up.

Planning Commission:

Frank Luek reported that a representative from Calvin was there, went through the same thing. Solicitor Matt reported that Jim Willard reached out to him and said that he was having trouble getting ahold of Bill Hummel. Dave Szakelyhidi commented to call Bill's number at 7:00am. Matt talked to Frank (Grannon) and he is going to

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Planning Commission Cont.:

reach out to Bill. Solicitor Matt commented that Planning wants something from the Engineer on Storm water Management.

WBCA:

Greg Such reported that they are still working on the Harmony Pump Plant, there was a zoning and code meeting. Solicitor Matt reported that WBCA had a meeting in front of the Zoning Hearing Board in Zelienople last Wednesday, received approval for a variance for that Pump Station; there are on-going discussions and likely future submissions for Land Development to Zelienople Borough.

Shared Services:

Frank Grannon reported the last branch pick up is Thursday, September 5th.

Parking and Signage:

Greg Such had nothing new to report.

Historic Harmony:

Rodney Gasch reported on an event starting on September 13th, the Cellos in Harmony. Award winning cellist Eugene Friesen is coming to Harmony; he is a friend of Andrew Orient. His time here will start with some assemblies at Seneca Valley on September 13th, Friday night's concert will be in the Museum wine cellar; Saturday morning there will be some workshops with students at Stewart Hall and the basement of Grace Church, Saturday night's concert will be in the Harmonist Barn. Tickets for those two concerts are available at EventBrite.com. Sunday morning there will be a free concert of sacred music in the Mennonite Meetinghouse. The program received great support from Butler County Tourism, Peoples Gas and Rodgers Brothers.

Rodney also reported that the Museum will have its first on-line antique auction, they will be accepting donations/consignments now through October 1st, and items can be taken to Harmony Warehouses (by appointment). Items for auction will fall into three categories, items owned by the Museum, donated to the Museum and items sold on consignment. Seller get 60% of sale price, Museum 20% and auction company 20%. The on-line bidding runs September 15th thru October 15th. The auction website is BHD Auctions.com. The Christmas Market is coming up the second week-end of November. The windows are being installed now.

Rodney also reported that they were thinking about doing something different with the Weaver's Cabin, the Primitive Structure Ordinance has a 15' height restriction that was added as an amendment when talking about the Visitors' Center, not thinking that one of the three primitive log structures is two stories. Rodney is hoping to have that corrected. Solicitor Matt commented that those would have been pre-existing from the ordinance; they would have been pre-existing non-conforming; they're in compliance. The only one that needed it in place was the log cabin Visitors' Center. Dave Szakelyhidi commented the only reason they did the Primitive Structure is because it wasn't addressed in our zoning. Solicitor Matt commented that they would have been grandfathered in; discussion. To amend the Ordinance, the borough would need to advertise, hold a public hearing, and have it reviewed by our Planning Commission and Butler County Planning for a review

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Historic Harmony Cont.:

period and then it could be adopted, looking at a time period of 60 to 90 days. Greg Such recommended Matt look into it and make it clean.

Library Board:

Kathy Luek reported that the Wine Walk for 2020 has been set for June 6th which is the first Saturday of June. It had been the second Saturday in June which conflicts with the Spring Feast and the Herb & Garden Fair.

The BCFLS (Butler County Federated Library System) new equipment/servers are being installed and should be back online by mid-September.

Harmony Business Association:

Sherry Cepek was unable to attend the meeting.

Other Meetings:

Joe Dippold had nothing new to report, no meeting in August.

PUBLIC COMMENT:

Josh Meeder -- Josh reported that two week-ends ago was the first Allegheny Aquatic Alliance creek clean up, they did real well over 800 more tires; there is a second clean up this Saturday (September 7th) if anyone would like to volunteer they are meeting at 8:00am on Ash Stop Road. Josh also gave an update on the fundraising they did here, they closed it up they were at about \$10,000. The Tourism Board turned over the distribution to the United Way to keep arm-length distance, and to have someone who is used to distributing it. Josh is waiting for a call back; he is pushing to get the four submersible pump funds released to the Fire Department as soon as possible.

Roger Correll – 614 Wood Street – Roger apologized to Greg for his outburst. A small section at the top of the bank gave way and he fell down into the street. This is a problem they tried to pursue diligently when the road was widened. Council or the borough needs to fix it like they were promised it would be fixed. A wall was to be built, they met with a landscape architect, they brought in options, it's been ignored but it is not a good situation it keeps eroding. It was a 45-degree angle when finished, it is washing away, there is about two feet between the cliff and a historic 200 year old stone wall he refurbished. If this goes on too much longer it may start to affect that. Need to have a slant/little hill not a drop-off, it is getting worse and everybody in this room heard something will be done and nothing has been done; it needs fixed. Greg Such inquired if they (Corrells) were willing to maintenance of it. Roger Correll inquired maintenance of it? Greg commented that if starts to fall into the street. Roger responded that if something happens to it he will fix it. Mayor Cathy Rape asked what was promised. Jody Correll responded that there are four places in the meeting minutes that stated the borough would take care of it, we'll fix it, we'll help you. Cathy Rape commented that she drove by and saw green the whole way. Jody Correll stated you need to get out of the car and look close. Greg Such recommended take it to committee to discuss.

Sam Hopkins – 132 S. Pittsburgh Street – Sam thanked Frank (Grannon) for painting the crosswalk on Rt. 68. Greg Such reported that Allen (Code Enforcement Officer) sent a letter to Robinson asking them to trim the trees so the signs (pedestrian crossing) could be seen. A letter was received from Doug Bollinger, CFO at Robinson stating that Robinson personnel will trim the tree back from the sign to allow line of sight for passing vehicles. In

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PUBLIC COMMENT CONT.:

Sam Hopkins Cont.:

addition, Robinson has contracted with a tree service to trim all trees back from the sidewalk and remove dead trees from the hillside.

BOROUGH STAFF REPORTS:

Police Report:

Report will be submitted via email.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported the debris has been removed from the run by Tod's and put in the dumpster; most of it was washed down from Tod's. The price for a door for the borough building is \$1800; need to get a price to install it. Frank Luck may be able to do it. Frank Grannon stated it is a special order, will need to put order in. In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved replacing the back door. Frank reported the logs have been picked up on Evergreen Mill Road; there is a big one still there. Dave Szakelyhidi commented that Jackson Township is responsible for it, we found the Agreement and the Agreement is still in effect. Greg Such commented that he took pictures; need to send them to Chris Rearick at Jackson. Frank Grannon stated that it is on Jackson's side, the boundary is split down the middle of the road. Frank reported that he is still trying to find a supplier with organic weed killer. Cathy Rape reported the parking lot on Main Street is atrocious, it's a lot to weed, she says spray it. Jason Sarver commented that he doesn't like to see the weeds but he hates, for environmental reasons, to dump herbicides into the water and sewage. Cathy Rape inquired if we are willing to buy things to make our own natural spray of vinegar and salt. Council approved, Greg commented that the Borough would give restitution to Cathy, adding that he has a sprayer. Frank Grannon reported that the crosswalks, school signs have been painted, started painting some of the curbs and clearing grass from curbs. Dave Szakelyhidi inquired why we were painting curbs, Frank responded there was a couple spots that people couldn't get out they would have to drive in neighbor's yards. We discussed last month what the setbacks were for intersections. Cathy Rape inquired if yellow curbs are enforceable. Jason Sarver responded that it has to be by Ordinance, the Police are to enforce the Ordinances of town. Jason commented that a painted curb and sign signifies no parking. Frank Grannon commented that you can't park 30 ft. within an intersection and 15 ft. from a hydrant. Dave Szakelyhidi commented not to paint in the Square, it was stated that the curbs already are yellow. Greg Such commented that we need to keep with it but we can look into it. Frank Grannon responded to let him know. Frank Grannon also reported on the three catch basins, one on Pittsburgh Street had a grate that was an odd-ball size; Frank made a grate for it. The one on Beaver and Division was dug up and did a temporary fix to get us a few years on it. The PA One call is in on the one down on Monroe Street, once the contractor gets freed up it will be ready to go in; should be well under the \$3000 budget. Dave Szakelyhidi if there was two on Monroe. Frank replied one, and just grinding the top on the other one. Greg Such inquired how many bad ones do we have. Frank responded that all of Harmony

Borough Director of Operations Cont.:

Heights, when they did those they poured the tops, they are an odd-ball size and can't get it, will probably need pulled out, poured and framed. Frank is still working on it.

Jason Sarver inquired on the property on Rt. 68 with high weeds, and weeds growing out of the gutters, if someone lives there. Allen Bayer responded yes. Jason inquired if we could enforce our Ordinance. Allen explained that a violation letter was sent, a reminder violation letter was sent, Matt (Solicitor) sent a violation letter and he responded to Matt's. That property on the Borough maps goes down to Grandview/Rt. 68, on the Butler County maps it doesn't. The property owner contacted Matt and stated that was not his property from the fence down to Grandview. Allen is not sure how to go about finding out who owns that property. Jason Sarver commented that it would be up to the property owners to prove that he doesn't own it. Solicitor Matt commented that if we take him to court it is our burden to prove ownership. Solicitor Matt commented that we could clean it and lien the property. Cathy Rape recommended hiring a landscaper to cut it and lien the property, if he sales it we'll fight it then. Frank Grannon is to call a landscaper. Jason Sarver commented that the other property owners may expect the Borough to cut their yard; we need to research who owns the property. Josh Meeder commented if it hasn't gone through the court process the Borough shouldn't be charging him more, it could expose to liability if proven wrong. Solicitor Matt stated that we own the burden, he can try to research the deed, discussion on survey pins and where to measure from. Greg suggested have Borough employees clean it up with truck behind them. Don Sims commented to let the system work.

Zoning and Codes:

Allen Bayer report submitted.

Mayor Rape stated that the Borough should have a violation for not painting the electric box in the Square. Allen inquired based on what Ordinance. Cathy responded that HARB and Council approving the color, HARB approved beige. Solicitor Matt commented that Council can direct Frank to paint it, Greg Such commented to paint it.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Phyllis Metz reported on an Event Form for Sleepy Hollow Festival at Wood Street Park – Weiner Dog Race on October 12th from 10-5. They would like the electric turned on, and they want the Northside of the Square and the entrance to Wood Street Park. In a motion made by Frank Luek and seconded by Don Sims, the Harmony Borough Council unanimously approved the Sleepy Hollow Festival Event Form. Phyllis Metz also reported that she emailed the Borough Magazine to advertise the Silvester and the Christmas Market.

Business Development:

Cathy Rape reported that the pad was poured for the new bench on Main Street, left side of the Youth Center. Cathy will call Mark Gordon about getting a group together about the flooding. She went to Jackson Township last month to give them a copy of the Working with Nature to Manage Storm water article and will go back this month to discuss it, she hopes. Its greenways and she's hoping they would put

Business Development Cont.:

these into consideration for ordinances, constructing wetlands, filter strips, infiltration trenches and beds, pervious pavement, infiltration berms and keeping trees. Greg suggested sending a copy to Mark Gordon.

Mayor Rape reported that she neglected to congratulate Dambach Lumber last month when they were celebrating their 60 years in business. There was an article and pictures in the Business Matters. They really do give back to the community here and are always donating most anything she goes to them for, she appreciates their business and she's glad they are in town. Congratulations to Dambach Lumber.

Personnel:

Greg Such reported that we advertise and put out an RFP for the Defined Contribution Pension Plan, we received four responses and liked one, talked to the company that provided their response along the way we decided said company had left out several fees, the response was not as it seemed and it got expensive. Randy Rhodes is re-advertising because he ran into another company while working with another municipality and we are going to get a quote from them. Joe Dippold commented that Council needs to give the Water guys a heads up on that, we told them two months. Phyllis Metz asked Frank (Grannon) to relay that to the guys. The next step is to negotiate a contract with them. We will have a conference call with them so questions can be asked and then a contract can be negotiated; Randy has a template put together for that; then the next step is to have them come in for a training session.

Finance:

Joe Dippold had nothing new to report.

Streets:

Don Sims commented that Frank gave an overview, the last limb pick up is this week, next is leaves. Don reported on the drainage issue on Mercer Street, met with the contractor several times and the plan is now to go back to the original plan which is to go between the two buildings and run it down to Aster Lane and the manhole on Aster Lane will be replaced with an inlet and follow the exact same path as the existing pipe out to the creek; we're going with a 36" pipe. The 36" pipe will start with the inlet on the opposite side of Mercer, cross over to the proposed new inlet, between the two buildings down across Aster Lane and continue down through. We will do the first phase from Mercer Street down to Aster Lane in 2019. We need to get our easements in, need revise the easement. Dave Szakelyhidi inquired if it will dump into an 18" and Don responded temporarily, we will replace that in 2020. That would be the second phase to take it to the creek. Bob Ziegler inquired if they are hoping to get better elevation at the creek; Don Sims responded yes, the intention is that we will be higher than the existing. Dave Szakelyhidi inquired if gas lines and water line would need to be moved deeper. Don Sims responded that we will resolve these issues as we go; we have to look at what is there and what the depths are. Frank Grannon commented that he doesn't want to lower the waterline that is a main pumping line; we won't have depths until we dig, he added the waterline goes down Aster Lane. Josh Meeder inquired how much lead time will they have before the start of construction. Don Sims responded we're looking at the end of the year. Josh also inquired if there would be any check valves on the second phase from the

Streets Cont.:

manhole on Aster Lane down to the creek, Don Sims replied no, at this time it would be mute to have an open grate at Aster Lane if there was a back-up it would come up through there. We're trying to move the flood off of Mercer down into that area and then eventually, hopefully, rarely will we ever have any of that. We're still in the administrative phase. Josh Meeder inquired how long until the easements are revised. Don Sims commented as soon as he can get the borough engineer to respond, get the drawings, and get them to the attorney.

Facilities:

Dave Szakelyhidi reported that he met with Penn Power and Armstrong to get lines out of the Square; working on getting a hold of Verizon. Greg Such inquired if the meetings were informational. Dave responded to see how feasible it is. Dave reported that Penn Power has two options, one was to go around the Square in both directions and they would like us to pay for it. The other option is to go underground with 6" pipe under the sidewalks, one 6" pipe to accommodate the three-phase that is up there now and another pipe empty in case they would ever need it. Don Sims commented that we would need 5 for telephone and cable. Dave Szakelyhidi commented that Armstrong was the easiest to work with, they will provide the vaults if we provide the conduits. Verizon is the hardest to get ahold of. We have two options with Penn Power and Armstrong will follow with whatever we do with Penn Power. The first option was to go around town and get rid of the wire that are in the Square but that still leaves the utility poles there and once they're off it the other utility companies own the poles, last one off owns the poles. Mayor Rape inquired if he got a price. Dave Szakelyhidi replied the price to go around town is about the amount of the grant. The underground is probably the best option, no price yet. Greg Such commented that he sees that as a multi-step process; do the conduit at once and then go back for another grant and start moving.

Grants:

Greg Such reported on the RACP Grant, we need public input sessions, Ben Levenger's company has proposed facilitating the sessions for us; the proposed dates are September 19th and October 7th. Amy is going to run an ad for that. Matt is reviewing the contracts. Next we will need to have a business plan, Dennis purposed we go jointly with Zelig on that; then the question becomes do we have two contracts that are mirror images of each other between Downtown Redevelopment and Zeligople and Downtown Redevelopment and Harmony or do we have one contract and have three organizations sign. Solicitor Matt commented the only issue becomes if there were a breach of the contract, three parties all three parties will become part of that lawsuit or where as if you have your own contract every man for himself. Solicitor Matt commented that he does not feel strongly one way or the other. Mayor Cathy Rape commented that she talked to Saxonburg's manager because they received grant money, she recommended we have somebody during the public meetings that could say the pros and cons of a suggestion so we don't go a whole month with somebody hoping that that's their idea, they could say that's not feasible for Harmony. She also said whatever we agree on it is best to get the ordinances going really fast because that takes time. Greg Such commented that we are hiring Ben to facilitate the meeting, he also asked Brett/HARB to come in as well.

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Training & Conferences:

Greg Such reported that they are listed on the Correspondence List. The PSAB Conference is coming up in October; the Borough is obligated to pay expenses for any council member who would like to attend.

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 \$ **14,184.81**

Bills Already Paid in the amount of \$ **8,025.93**

Payroll in the amount of \$ **5,848.70**

Fire Tax Bills Payable in the amount of \$ **44.13**

Parks Board Bills Payable in the amount of \$ **150.00**

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.

Adjourned: 8:25 pm

As there was no further business to discuss, the Harmony Borough Council adjourned the September 3, 2019 meeting at 8:25 pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

August 2019

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. Attended August HARB meeting.
4. Attended August Council Meeting.
5. Spoke to George Riggins regarding painting a mural on the side of his building.
6. Prepared July Monthly Time and Activities Reports.
7. Investigate and report on complaint from Michelle at 770 Spring St. regarding property encroachment. This is a civil matter.
8. Inspected construction at Rodger's brothers building for building permit and HARB. No building permit is required however they will attend the next HARB meeting to present the change in windows and door.
9. Returned call to Michelle to further discuss her concerns with Tim Eppinger. Spoke with Bonnie Slack, Seneca Dr., regarding a lot line division. I referred Bonnie to Joe White, Planning Commission.
10. I spoke with Chris Eden, 748 Spring St., regarding a fence, patio and sidewalk zoning.
11. Spoke with Jennifer Ewing, Civil and Environmental, regarding in-ground hazmat leakage concerns at US Liner and Robinson.
12. Sent parking lot sign requirements for Grace Church to Dave Anton.
13. Spoke with realtor, Dawn Kettleman, regarding a flood zone elevation certificate for a house in Swamp Poodle.

14. Spoke to Rodney regarding scaffolding on Mercer St. sidewalk to install windows in Museum. Although not covered in the ordinances, I recommended that he pass it by Council for approval.
15. Spoke with Ryan Bectal, 747 Spring St., regarding landscaping.
16. Spoke with Dave Carry, Land Building Co., regarding cost of a building permit. I referred Dave to Jackson Twp.
17. Created violation notice for illegal shed at 763 Spring St.
18. Received complaint regarding area around the pump station behind US Liner is in disarray and the retention pond to the north of US Liner parking lot needs to be cleaned out. I inspected the area around the pump station and found nothing. It must have recently been cleaned up. I need to find some document pertaining to the retention pond of who is liable to maintain it. Amy is checking to see if she can find the building permit for the parking lot. More to come on this.
19. Spoke with Dawn, Calvin Church, regarding the need for a building permit to repair a railing and replace a handicap sign because both were damaged by a parishioner's car gone wild. No permit is required. Nice of them to call though.
20. I spoke with Rodney regarding the Weavers Cabin. They want to separate it from the museum in order to sell their product. Under the Primitive Ordinance the building cannot exceed 15' in height. Rodney will consider how to address the issue via Council or a variance.
21. Processed Building Permit for shed at 743 Spring St.
22. Left message for resident at 418 Liberty St. that the property was not in the flood zone.

Respectfully submitted,
Allen E. Bayer