

June 2, 2020

HARMONY BOROUGH COUNCIL MEETING June 2, 2020

COUNCIL MEMBERS PRESENT:

Greg Such

Frank Luek

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver

Mayor Cathy Rape

OTHERS PRESENT:

Susie Altemus

Allen Bayer

Frank Grannon

Kathy Luek

Chief Jim Miller

Solicitor Matt Racunas

Tom Thompson

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CALL TO ORDER:

Council President Greg Such called the meeting to order at 7:05 pm. This meeting was held remotely through Zoom virtual meeting.

PLEDGE OF ALLIGANCE:

MINUTES:

In a motion made by Jason Sarver and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the May 5, 2020 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas did not have an update on the Main Street Bridge matter as the County is still in the Yellow Phase, hopefully he will hear something from their Attorney next week.

The Parking Ordinance on the McCormick property was drafted and will be advertised and ready for adoption for the next meeting.

Greg Such reported that we did not sign the EMA Agreement, Solicitor Matt stated that it was approved. Greg Such reported that he had to edit them and will send the Agreement to Solicitor Matt for review.

BOARD REPORTS/APPOINTMENTS:

Appointments:

No appointments.

COG:

Joe Dippold had nothing new to report; no meeting.

HARB:

Dave Szakelyhidi reported that HARB met but did not have a quorum. Allen Bayer reported that HARB met today via email, they did have a motion and it was seconded, it was a vote of four which does constitute the majority. **Same Hopkins – 550 Main Street** - Replace the wooden fence on sidewalk (front) with picket style like existing fence on south property line. Install two a/c compressors at right (north) rear with two electrical shut off boxes mounted to building. Replace current tarpaper on gable ends of brick portion of building with wood grained hardy board and frame for small window (approved previously) and replace asphalt roof on carriage house with slate.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 550 Main Street.

Water Authority Board:

Dave Szakelyhidi reported that the Liberty Street water project is complete and are ready to pave the patches. Dave inquired if the Borough would want to split the cost and pave the whole street from Mercer Street intersection to the railroad tracks. Frank Grannon reported that he did not have any estimates, if paving he would have to contact Penn Dot to have them spec it; if patching he would call Voelker. Frank

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Grannon will have Penn Dot come in and get a quote then send an email out to Council.

Parks Board:

Susie Altemus reported that Frank Grannon and Lance from Butler Parks have been working together to get grant items done. The fall chips have been spread at the Borough Building playground and they are working on spreading the fall chips at Swampoodle Park. New park benches have been ordered, they will probably try to sell the old benches. The Parks Board cleaned up Wood Street Park. The Canoe Launch is getting used a lot with kayaks. Frank is trying to find someone to clean the silt out. Lance will try to send someone down in July to see if they can improve that problem. The Parks Board will need to decide if they are going to have any July concerts, Susie hopes to have at least one in August. Susie also reported that the Trail needs some limestone, there are some bare spots from when it flooded. Greg Such inquired if there was any fine-grade limestone left. Frank Grannon responded yes, he will take it down and put on the bare spots. Frank Grannon inquired if there was a budget for cleaning the canoe launch if he gets somebody who is ready to go on it that he can just give the authorization. Susie Altemus commented that Lance said we have to get a quote and send it up with a W-9 so they will pay it as part of the (Reno) Grant. Susie suggested scanning it up to Lance to help get it approved quickly. Frank Grannon inquired if Council wanted to pay for it in-house since it is being used so much to not slow the progress down on it. Susie Altemus responded that it is part of the Grant. Frank Luek inquired if Frank Grannon talked to Barbish about it. Frank Grannon responded that he has, Barbish has a backlog of work. Greg Such commented that we have received multiple complaints. Susie Altemus suggested Tim Eppinger. Frank Grannon will check with Shane. Frank Grannon has Cinci stopping tomorrow. Cathy Rape commented that she is all in favor of someone else paying to clean out the canoe launch as it is a poor design. It is a dangerous thing to have it cleaned out with a backhoe. Susie Altemus reported that there is a port-o-john at the Canoe Launch until September or October.

Library Board:

Kathy Luek reported that the Library will have a soft reopening, right now they are taking orders online to reserve books and for the next week or so they will bring them to your car. The Library is moving furniture and erecting shields and moving computers to get it ready to go. The Wine Walk is cancelled, Zelic onTap is cancelled, and pretty much all events have been cancelled. Joe Dippold inquired how much money the Library usually makes from the Wine Walk. Susie Altemus responded about \$15,000. Joe Dippold commented that we need to submit that money to the County to try to get them some reimbursement; Kathy Luek is to get some documentation for a number on the Wine Walk to Greg. Greg Such reported that the County is adding up all the disaster loses from COVID-19 and put a spreadsheet together for municipalities to fill out. It is geared towards what loses the communities/municipalities have had from COVID-19 and that includes things like donations to the Parks Board, the Library would probably fall under Zelianople but we would need an accounting of that to get turned in. There is a call on Thursday to talk about how to fill out the spreadsheet the County put together, we will know a little more then. Dave Szakelyhidi inquired on the Fire Department's request, if that was similar. Greg Such responded yes, but they are their own entity

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Library Board Cont.:

but will find out. They will lose \$80-100,000 from no car raffle. Susie Altemus inquired if that would include Silvester. Greg Such responded yes it would include Silvester and four concerts, and a firework session and a half. The Borough pays for half the fireworks session and the rest is contributions. Cathy Rape inquired why the Silvester is included because you don't know if anything will be shut down by then. Greg Such responded that if it is shut down we won't have a chance to put it in then; they can turn it down but at least they are aware of the fact that we are going to have a loss.

Historic Harmony:

Kathy Luek reported that the Museum will reopen June 23rd with limited number of people and with reservations. The Restaurant Raffle was very successful, the winner was Amy Dykes of McCandless Township. Greg Such inquired if the Tourism Board was aware of how the raffle went and that the winner was not from the local area. Kathy Luek will contact Jack.

Planning Commission:

Frank Luek had nothing new to report.

WBCA:

Greg Such reported that the planning for the upgrades continue on the main processing plant and to the Harmony Pump Station.

Shared Services:

Frank Grannon had nothing new to report; nothing on branch pick up yet.

HBA:

Representative not present.

Parking and Signage:

Greg Such had nothing new to report, already discussed McCormick.

Other Meetings:

Greg Such reported that the Butler County Commissioners have been holding communication meetings roughly every other week, there are about 50-60 people on from different municipalities, all three Commissioners, Mark Gordon, Steve Bicehouse, the County Solicitor; Leslie Osche usually leads them. The meetings have been good.

PUBLIC COMMENT:

No public comment.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email. Chief Miller commented that they are keeping an eye on things and they are constantly getting updates from the State, County and Feds with what is going on. They receive training programs in case something would happen.

Police Report Cont.:

Three of their Officers participated in the incident up in Butler as part of the ESU Team.

Greg Such inquired on the firearm violation in the monthly report, Chief Miller responded someone found a gun; it was returned to the owner.

Susie Altemus encouraged the Police to have a car sit at the crosswalk at Rt. 68. Chief Miller commented that we need to get that crosswalk painted.

Cathy Rape thanked the Officers for Memorial Day, glad they came and handled the situation.

Office:

Frank Grannon reported that the pick-up truck did not pass inspection. It needs four new tires, the cost per tire is \$205; the bed needs to be replaced. Mark did some research and found one used bed for \$2,200. Frank Grannon did some checking a service body similar to the Water truck, it was \$7,032. A flat bed that you can put side boards on was \$2,495 and if you add stake pockets it would be additional \$200. Frank has some other calls out to get prices. Dave Szakelyhidi inquired if Frank was going ahead with the tires. Frank Grannon responded that it will need a front-end alignment once the tires are on. Dave Szakelyhidi inquired if the Water Authority's new truck bed would fit. Frank Grannon responded no, the frame is different. Don Sims inquired how many miles are on the truck. Frank Grannon responded 24,000. Cathy Rape inquired why it was rusted if it only has 24,000 miles. Frank Grannon responded from the salt spreader.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved \$4,000 in repairs for the pick-up truck.

Frank also reported that he has Cinci coming tomorrow to look at the Canoe Launch, and he will get the rest of the wood chips dumped at Swampoodle Park this week. Greg Such inquired if line painting would be done soon. Frank Grannon responded that it is next on the list. Greg also inquired if Shane could empty trash cans in the Square. Frank Grannon will ask Shane. Cathy Rape commented at least once a week, on Fridays would be good. Greg Such thanked Frank Luek for emptying them.

Zoning and Codes:

Allen Bayer report submitted.

Jason Sarver reported on the IPMC, we talked about it for about a year now and he is confident that he has support for it and it would be good for the community.

In a motion made by Jason Sarver and seconded by Dave Szakelyhidi the Harmony Borough Council approved the adoption of the 2009 Property Maintenance Code in a 5-1 vote, Don Sims opposed.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Phyllis Metz was unable to attend. Greg Such reported there is an Event Form for a block party on Division Street on Sunday, July 19 from 4pm until Dusk; submitted by Rich Goehring. They are requesting Division Street be closed, there will be alcohol served, and the number of visitors is 24.

A motion was made by Frank Luek and seconded by Joe Dippold to approve the Event Form for the block party on Division Street contingent on Zelienople Borough approving it on or before July 19th (it is a split street) and to follow County guidelines.

Business Development:

Cathy Rape commented that she was happy to see stores open, and the Inn has tables out. Greg Such commented that this weekend the Inn will have a band on the roof and the beer garden will be open.

Greg Such reported that there is a Community Block Development Grant that merchants can apply for. Joe Dippold will send a note to Sherry Cepek (HBA) about it.

Personnel:

Jason Sarver had nothing new to report. Jason inquired if there were any COVID-19 scares with employees and/or families. Frank Grannon responded no.

Finance:

Greg Such reported that Council received updated financials today, the General Account balance looks good, and it looks like we're behind on the Earned Income Tax, which is to be expected as the filing date has been pushed out to July 15th.

Streets:

Don Sims reported on the Mercer Street drainage, the property owner did not give approval for the Right-of-Way. The property owner was not comfortable with the Borough digging the alley entrance that is near his building, he wanted the Borough to guarantee his basement. The project is on hold until a determination of where to run the drain pipe has been made. Jason Sarver inquired if there was ever a point for the Borough to fix what was already there. Don Sim responded that to try to repair anything in that building you're entering into what is considered a confined space with only one access point into it; from his experience even doing an open trench of that distance would require different egress points and to try to find a contractor that would come in and do that would be impossible; and it would be illegal for the Borough employees to do it.

Frank Grannon reported the tops for the catch basins for Harmony Heights are here, he is waiting for the contractor to put them in. Greg Such inquired if the Borough wanted to tar and chip Spring Street; he had a request from a Spring Street resident. Frank Grannon commented that if there are potholes they would need to be scratch and filled before they can tar and chip it. Frank Grannon stated the potholes were filled on Spring Street and inquired if it was on Jackson's side. Jason Sarver inquired where the pothole was on Spring Street, he could not find one. Greg Such responded somewhere back by Bob Ziegler's.

Streets Cont.:

Frank Grannon commented that there aren't any potholes back there. Cathy Rape responded that it's more like a dip in the road.

Facilities:

Dave Szakelyhidi commented that we have talked about the post light at Mark Sapienza's corner that hasn't been working or usually doesn't work. Dave would like to authorize an electrician to run new circuit from Mark's panel box to the light or remove the light. Cathy Rape inquired if anyone talked to Mark. Jason Sarver responded that the last time he had a direct conversation with Mark he said he would get to it, he had to connect it. Joe Dippold will talk to Mark. Frank Luek inquired if there was conduit from his building out to the light, Dave Szakelyhidi responded that he is not familiar with it. Dave commented when the lights were originally put in the Borough paid to put them in to the resident's panel so it would be appropriate for the Borough to hire an electrician to replace it. The Borough is providing the light and the wire and he supplies the electric. Joe Dippold will talk to Mark. Frank Luek commented to let Mark know that the Borough isn't opposed to hiring an electrician to take care of it. Frank Grannon inquired if the Borough will take care of his paving. Dave Szakelyhidi commented that the paving would be the Borough's responsibility if we dig it up.

Grants:

Greg Such reported that Tom Thompson is on the line he has a fuller estimate of the cost involved. Tom Thompson stated the total expenditure is about \$190,000 split between the Borough and the Grant. Dave Szakelyhidi inquired if the loan is a variable rate and locked in once you get it. Greg Such responded it is a fixed rate. Allen Bayer commented that Zelig's rate is .56 guaranteed for 10 years which is the repayment period for the loan, they have asked for an excess of \$10 million they were obliged to take none of it, part of it, or all of it over 18 months and after the 18 months whatever they've taken they will repay at .56 rate over 10 years. Greg Such inquired since we are on the grant together if there would it be a chance to borrow together. Allen Bayer responded that he does not know, the submissions were by municipality. Greg inquired because it seems as though they could take whatever amount you wish up to \$10 million. Allen Bayer responded that you could apply for any amount you wish, they tell you how much they approve. Allen commented that they came out with the approval values for each municipality that consumes how much money they had available for this go round. Greg Such stated that he feels this is something Council should consider if we can get a rate around that amount, it would be very helpful and we could probably say that Liquid Fuels could go towards part of the repayment. Cathy Rape commented that she didn't think you could use Liquid Fuels if it was from the curb in. Greg Such commented that this is to repay the loan from the Infrastructure Bank. Tom Thompson commented that Liquid Fuels is limited to the road itself so any work related to the road you could use it for, but not sure if you can use it for a repayment of a loan if it has materials inside the curb. Dave Szakelyhidi inquired what that would equate to for a millage increase/tax increase. It's a good rate you hate to give it up. Joe Dippold commented that he ran an amortization chart and for \$100,000.00 at .56 rate over 10 years, it would require

one payment of \$10,310/year; we could pull it off without a tax increase. Greg Such commented that we have money in the General Fund to catch the other \$100,000.

Grants Cont.:

Tom Thompson commented that if the Borough is going to use the Butler County Infrastructure Bank as a match for the RACP typically they like to see financing of a minimum of 20 year term; the Borough would need prior approval to that so that RACP would accept it since it is only a 10 year term. Greg Such inquired if that would be the same if we were using it as float to cover however long it takes for their money to come back. Tom Thompson responded it does not normally apply to interum financing. Greg will talk to Mark Gordon and see where they are in the cycle and we can visit it again. Dave Szakelyhidi commented that he appreciates Tom Thompson's efforts and if the Borough needs to employ him to do something if so we need a proposal or something. Greg Such responded that we do need to put him on staff or on retainer; Tom gave Greg some pricing today and Greg needs to look at it again. Tom Thompson commented that there are some scope things they need to be discussed, what the product is going to be before he can fine tune the numbers. Greg Such inquired if Tom generally meets with a committee or the whole council. Tom Thompson replied it could be either way, it is easier with committee that way you don't get into the Sunshine Law issues. Greg Such commented that they will pick a committee, it cannot be more than 3 council people and we can go from there.

Training & Conferences & Correspondence:

Greg Such reported that he drafted a letter to Blanche and Tom Lozar; they are the people who live on Highland who were complaining about Rt. 68. Amy has a copy of the letter and Greg will sign it tomorrow. Jason Sarver inquired what resolution was given. Greg Such responded that basically the Borough cannot be responsible for the maintenance of Rt. 68, it is a State maintained road and gave them the contact information for the local State Community Rep, that he would talk to Chief Miller about having more police presence around Fox's Pizza and noise resolution would be impossible for us to resolve, the fact that there are a lot of trucks going through very early in the morning; it is something we can't measure without a certified device. Mayor Rape inquired how hard it would be to get signs that say 'No Jake Braking' on Rt. 19 and Rt. 68. Chief Miller replied that it's pretty much a dead issue, it's a Penn Dot regulation, and Penn Dot generally does not provide exceptions because they don't want the legal issue of some truck driver not be able to use a jake brake in an emergency. Solicitor Matt Racunas stated that you cannot enforce on State roads. Mayor Rape inquired if we could get our State Rep or Senator involved because these are our main streets and inside the Borough limits and the State should be accountable to the Borough/Municipalities. Chief Miller commented that it becomes more of a safety issue that is why there are jake brakes on trucks; whether you like the noise or not they will stop a truck a lot quicker in an emergency. That is why Penn Dot is hesitant about eliminating a jake brake on a truck going through a town because if something does happen someone is liable.

BILLS PAYABLE:

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

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General Bills Payable in the amount of \$ \$ **16,197.07**

Bills Already Paid in the amount of \$ **4,062.06** (\$3,775.10 after HBWA reimburse)

BILLS PAYABLE CONT.:

Fire Tax Bills Payable in the amount of \$ **2,414.95**

Parks Board Bills Payable in the amount of \$ **195.80**

Payroll in the amount of \$ **6,807.70**

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.

Dave Szakelyhidi inquired where the next Council meeting will be held, Greg Such responded it depends if we are green or yellow. Dave inquired if it is green where will it be held, Greg responded the Borough Building, and we don't all have to be there. Greg commented that there is no longer a requirement that we all be in one place to hold a meeting. Solicitor Matt Racunas commented that he has some communities that are doing like a hybrid. They are not allowing the public in, they can join by Zoom, if any Council member wants to attend in person they will Zoom from the Council meeting like together in a group and anyone who chooses to Zoom can Zoom; and in council chambers they are trying to place everyone a part from each other and wear masks. Dave Szakelyhidi suggested holding it at Stewart Hall, it is bigger and available. Greg Such commented that he is not going to commit to a place right now; we will wait to see what the situation is. Joe Dippold commented that he is good with what Greg said, let's wait 3 weeks and see where we are and go from there. Greg Such commented that the decision will be emailed.

Jason Sarver reported that kayakers are driving up Jackson Street fast, inquired if the road was wide enough to put a Slow Sign in the middle of the road; Frank Grannon responded no. Susie Altemus suggested putting a sign in the yard. Mayor Cathy Rape suggested putting something at the Canoe Launch before they leave the parking lot, 'Please Drive Slow' and Greg Such inquired to Frank Grannon regarding the requirements for putting a sign in a yard. Frank Grannon responded it depends what is on them and PA One Calls. Jason Sarver commented he was thinking just a stick in the ground type of sign. Allen Bayer commented from a code stand point, the Borough requires written permission from the landowner to put a sign on their property. Kathy Luek commented about a stake sign in front of Maple Court that says 'Drive Like Your Children Live Here.'

Adjourned: 8:29 pm

As there was no further business to discuss, the Harmony Borough Council adjourned the June 2, 2020 Zoom virtual meeting at 8:29 pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

May 2020

1. Stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. I received notification of a porch roof being construct at 103 Pittsburgh St. No building permit was issued. I met with a man there who said they had a building permit for the deck and roof but at the time did not have the money to build the roof, only the deck. I pulled the building permit for the deck which was issued in 2013 and has since expired. Also, there was no mention of the roof on the building permit.
4. I went back to 103 Pittsburgh St. and explained the situation showing the man the original building permit. I told him that he needed to get a borough and Tom McCosby building permit on Monday. He said he would. He was told not to enclose the roof to allow Tom to inspect the work. Donna Fischer did come to the office on Monday 5/4/2020 to pick up the building permits.
5. I called Donna Fischer to remind her that the building permits needed to be completed and returned to the office ASAP.
6. Received a building permit for a house addition at 121 Jackson St. Reviewed FEMA Ordinance for construction requirements in a flood plain.
7. Completed building permit for porch roof at 756 Spring St.
8. Researched FEMA maps to determine if 121 Jackson St. was in the flood way or flood plain. Sent emails to 2 FEMA specialists for their determination as well leaving a voice mail for a third FEMA specialist.
9. Created house number violation notice for 748 Spring St.

10. Inspected trash can location and address complaint at 430 E. New Castle St.
11. Created 2 violations notice. High grass at 241 - 243 Mercer St. and trash can in front yard at 433 E. New Castle St.
12. Determined FEMA floodplain construction requirements for a carport to garage conversion at 313 Monroe St.
13. Spoke with Mike Francic, 313 Monroe St., regarding possibly changing his building permit from a carport to garage conversion to a room addition.
14. Spoke with Jen regarding permit requirement for replacing basement entry way of railroad ties with versaloc.
15. Created a building permit for demolition of house at 837 Edmond St.
16. Created grass violation notice for 131 Jackson St.
17. Performed one high grass inspection.
18. I spoke with Nick Mesisca at 121 Jackson St. regarding the status of his building permits being held up due to determination of the property being in a floodway or floodplain.
19. Spoke to Tricia Staible, President of Robinson Ind., regarding their approval of a CBD sign on their property along Rt. 68. The sign was not approved and removed.
20. I spoke with Ron Mantia regarding his grass at 241 Mercer St. He assured me that it would be cut this week. He is currently in the hospital recovering from heart by-pass surgery.
21. Spoke with Tim Eppinger regarding setback requirement for play-ground equipment.
22. Met with Nick, homeowner at 121 Jackson St., to deliver a Stop Work Order. I had an extensive discussion with both regarding the problem of the property lying between the Flood Way and the Floodplain requiring a decision which way to enforce the FEMA ordinance. Both

were very sincere and cooperative giving assurance that they will comply with the order.

23. I notified Nick, 13212 Jackson St. that his property was subject to construction in a floodway requirements per Matt Racunas. We discussed what was involved and various options that he has to move forward. He will get back to me on this.

Respectfully submitted,

Allen E. Bayer