

May 5, 2020

HARMONY BOROUGH COUNCIL MEETING May 5, 2020

COUNCIL MEMBERS PRESENT:

Greg Such

Phyllis Metz

Frank Luek

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver

Mayor Cathy Rape

OTHERS PRESENT:

Allen Bayer

Frank Grannon

Chief Jim Miller

Solicitor Matt Racunas

Alex Weidenhof

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CALL TO ORDER:

Council President Greg Such called the meeting to order at 7:04 pm. This meeting was held remotely through Zoom virtual meeting.

PLEDGE OF ALLIGANCE:

BACKGROUND RULES:

1. It is difficult on the phone sometimes to tell who is talking. Please start your sentence with, "This is Don" so we can keep the notes straight.
2. Mute your mic or phone if you are not talking. It keeps the background noise down.
3. Try not to talk over one another. When you are done talking, if you say, "over" at the end of the sentence it will let others know you have completed your statement and the next can talk.
4. We will continue to follow Robert's Rules of Order like any other meeting.

MINUTES:

In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the March 3, 2020 Council meeting minutes with the correction of cold patch not coal patch (under the Borough Director of Operations section).

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that the EMA Agreement was been reviewed and is ready for approval.

In a motion made by Joe Dippold and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the EMA Agreement.

Solicitor Matt reported on the Declaration of Emergency that the Mayor issued. Matt drafted a Resolution authenticating the Declaration of Emergency; we need a motion to ratify the approval of that Resolution. Greg Such commented that it ends when Butler County ends theirs.

In a motion made by Phyllis Metz and seconded by Frank Luek, the Harmony Borough Council unanimously approved Resolution 2020-5-5.

The Main Street Bridge matter has not had much movement as most Pittsburgh Law Firms are not operating right now.

Matt reported that he did a memo to outline meeting procedures because the State Legislature and the Governor has been making changes to the Sunshine and various other laws in order to allow municipalities to continue to operate without having a physical quorum present to make sure we are compliant.

Greg Such reported that the June 2nd Council meeting will be held at Stewart Hall due to election/tolling taking place at the Borough building council room; in the event that we meet

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SOLICITR'S REPORT CONT.:

face-to-face. Solicitor Matt reported that it may be better to do a virtual meeting, once moved into the yellow it precludes general meetings of more than 25 people, if more people come then you get into an issue of not allowing people into the meeting, and then you get into First Amendment violation. In his opinion it is better to hold the meeting virtually.

BOARD REPORTS/APPOINTMENTS:

Appointments:

No appointments.

COG:

Joe Dippold had nothing new to report; no meeting.

HARB:

Greg Such reported that HARB met last night, there were no attendees.

Water Authority Board:

Dave Szakelyhidi reported that the Water Authority continues to install test stations, the next one will be at The Grove (Evergreen).

Parks Board:

Greg Such reported that Susie (Altemus) was unable to make it tonight. Greg reported that the Parks Board decided to cancel the July 2nd concert and fireworks because of the concern of sponsorship/funding, seniors stacked in the Square and still being in the yellow the concert would not be permitted.

The Wine Walk has been postponed until September 12th.

The Parks Board was awarded the Butler County Reno Grant. The grant money of \$7,500 will go towards fall chips, gravel, equipment replacement parts and a bench at Wood Street Park.

Phyllis Metz commented that she would just hold onto the Event Forms and change the dates.

Historic Harmony:

Greg Such reported that Rod (Gasch) wasn't able to make it tonight but sent his report. The Museum was able to participate in the Paycheck Protection Program. The painting of the Wagner House will move forward as weather allows, by the end of May the first phase of the Window Project should be complete. The Museum's House and Garden Tour and the Quilt in a Day Program have been postponed, but the raffle for the quilt made by the Harmony Museum Quilters is still happening; tickets for the raffle will be available online through PayPal at www.HarmonyMuseum.org. The winning ticket will be drawn on Tuesday, May 26. Also on the Museum's website are tickets for the Restaurant Raffle. Support the Museum and local restaurants by purchasing a Restaurant Raffle ticket; the lucky ticket wins \$50 gift cards for nine establishments. Tickets are \$5.00 each or \$20 for 5 tickets. Tickets are available through PayPal. Winning ticket for the Restaurant Raffle will be drawn at 1pm on Friday, May 31st. The Museum Board is working on other raffle ideas and they may modify some of their events in particular the Christmas Market, they are committed to have some sort of craft related event in November to

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Historic Harmony Cont.:

support the community and the skilled vendors who sell at the Christmas Market each year.

Library Board:

Frank Luek had nothing new to report other than the Wine Walk that was already discussed.

Planning Commission:

Frank Luek reported that there was no action.

WBCA:

Greg Such reported that that they held their meeting via Zoom, it worked well.

Shared Services:

Frank Grannon reported with Zelienople doing social distancing he hasn't talked to Chad about limb pick-up. Limb pick-up is delayed until further notice.

HBA:

Representative not present, nothing to report.

Parking and Signage:

Dave Szakelyhidi reported that cars are parking in the turn-around on Wood Street. Jason Sarver commented that an Officer had mentioned the last two spaces on the right side cannot be parked in requested to paint the curb yellow. Frank Grannon commented there's a 'No Parking From Here Back' sign. Dave Szakelyhidi commented that is the only thing legal according to the Police. Frank Grannon commented that according to Chief Miller there is no law about curbs being painted yellow, they cannot give citations on that. Frank Grannon commented that the problem is where the handicap sign was put in for Saul. Don Sims inquired that the sign was to be removed upon his passing; Greg Such responded yes, we need to amend the Ordinance. Chief Miller inquired if it was in an Ordinance. Cathy Rape commented that there wasn't an ordinance on that, it was put up as a courtesy to Mr. McCormick, then the sign was removed because there wasn't an ordinance and it was to be strictly a turn-around but when the family complained Council put it back up. Frank Luek commented that we had to do an ordinance to put it back up. Frank Grannon commented that we did an ordinance, the Mayor refused to sign it. Greg Such commented that it is Ordinance #430.

In a motion made by Don Sims, and seconded by Phyllis Metz, the Harmony Borough Council approved to authorize the advertisement of the ordinance rescinding Ordinance #430.

Frank Grannon inquired on the time frame to take the sign down. Solicitor Matt stated if it is not being enforced now it's fine to take it down. Chief Miller commented that they are not at this time. Frank Grannon inquired if he should put up a No Parking sign. Solicitor Matt inquired if Council was changing it to No Parking; Frank Grannon commented that it is a turn-around. Mayor Rape commented that she thought there were signs already there that said Turn-Around Only. Frank Grannon commented that they are out in the front. Solicitor Matt stated if Council is designating an area as No Parking it should be in an ordinance, he can

Parking and Signage Cont.:

do it all in one ordinance that way there is only one advertisement. We can rescind the prior ordinance and designate that as no parking. Greg Such asked for a motion to make it No Parking also.

In a motion made by Jason Sarver and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to authorize the advertisement of the ordinance rescinding Ordinance #430 and to designate that area as No Parking.

Other Meetings:

Greg Such reported on the Butler County Commissioners' communication meetings held via Zoom to bring municipalities up to speed on the fact that it is now legal to have Zoom meetings, the fact that there was a State of Emergency, the fact that the Real Estate Tax dates discount period is going to move to November 30th, and other information related to COVID-19. Mark Gordon's office sent out minutes.

Greg Such reported another thing that we did was took an email vote to join Cranberry Community Response Team which is an organization that Cranberry Emergency Response put together to benefit any citizen in need. We need to ratify that vote.

In a motion made by Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the joining of the Cranberry Community Response Team.

In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the Resolution to move the Real Estate Tax due face amount deadline to November 30th. Greg Such reported that this puts us in line with the County and all other municipalities in the County.

PUBLIC COMMENT:

No public comment.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email. Chief Miller commented that it has been quiet, and they are observing social distancing.

Office:

Frank Grannon inquired if there is an update when the computers will be installed. Greg Such responded as soon as someone can go into the office, he can get them mostly set up on the week-ends. Greg will work on one in the council room over the week-ends to get it up and going. Frank Grannon commented that he asked because the new computer he got for the Water Authority was a bad computer and it had to go back.

Borough Director of Operations:

Frank Grannon reported that Council needs to ratify the email vote we had on the Harmony Heights inlets. The 5 inlets with the M-tops and the 24" riser we had to replace and the labor on that for \$5,000.

In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the repairs of the 5 Harmony Heights inlets in the amount of \$5,000.

Frank Grannon reported that Council needs to ratify the loan for the tractor and snow plow. Greg Such reported that we needed to purchase new equipment for lawn mowing, there is a Massey Ferguson Tractor with a 60" deck and a hydraulically operated snow plow, the loan is being approved by Nextier Bank as we speak.

In a motion made by Don Sims and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to engage in the loan with Nextier Bank to purchase the Massey Ferguson Tractor and snow plow.

Dave Szakelyhidi inquired how long it would take to get approved. Greg Such commented he should have the loan papers this week. Frank Luek inquired what the interest rate was. Greg Such responded 3%; it will be paid off in four years. Greg also commented that Frank (Grannon) has agreed to mow one time for us if needed. Greg Such reported that Shane Eppinger has agreed to mow for us; we will be hiring him back this summer. We did not accept the mowing RFPs; there were not any addresses on the RFPs. Don Sims inquired if Frank Grannon had any contact information. Frank Grannon will call and request addresses to send formal letter. Frank Grannon reported that Shane Eppinger will start tomorrow, he will use Frank's tractor to get the mowing done. Frank also reported that Penn Sweeping will come in next week to get the street swept. Frank reported that the flags in the Square and at the Borough Building are starting to get tattered and should be replaced possibly for Memorial Day if we can get them shipped in time. The cost for the smaller flag at the Borough Building is \$60.25 and the larger flag in the Square is \$86.50 Joe Dippold stated he would donate for a flag; Greg Such will also donate for a flag. Solicitor Matt Racunas stated that he bought the last one for the Borough Building, he will buy that one; Amy is to send him an invoice. Frank Grannon reported that the Canoe Launch is getting filled up, need to get it cleaned out again. Frank Luek reported that part of the Parks Grant was to pay for that. Frank Grannon inquired if there was a contractor cleaning it out. Frank Luek responded that Susie (Altemus) and the Butler County Parks Rep were making the arrangements. Frank Grannon reported that the Borough received two calls from Mr. Thomas at Spring Street and First Street about rocks in the storm drain, Frank and Jason (Sarver) looked at it, it had a little bit of silt at the bottom of it. Frank Szakelyhidi inquired if there was any action required. Frank Grannon responded no, he sent some pictures to Greg (Such); there wasn't anything they could do with it. Jason Sarver commented that it wasn't filled or needed cleaned. Greg Such inquired with Chief Miller if we need to go back there if we could request an Officer. Chief Miller responded to just give them a call. Frank Grannon reported that the Borough pick-up truck is ready for inspection this month, last year the tires and bed were questionable; may be questionable again this year. Don Sims stated to take it to get it inspected and get a list. Jason Sarver inquired where Frank was taking it for inspection. Frank Grannon responded Mark's (Sapienza's Service). Joe Dippold commented that we have \$3,000 budgeted, see where that gets us.

Zoning and Codes:

Allen Bayer report submitted.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Phyllis Metz had nothing to report.

Phyllis Metz commented that she has been working on old records; she would like to talk to Matt about what we can get rid of and what needs to be shredded. Solicitor Matt commented that there is a Record Retention Act, Matt and Phyllis will talk about it.

Business Development:

Cathy Rape reported that the Legion does not know what they will be doing for the Memorial Day celebration, if they will be allowed; they will get us a wreath and corsage to put down. Cathy is planning something, the Square is big enough and the people need it to know that there is hope and we cannot forget the people who fought for this country. She is saying there will be a celebration if not just from her and whoever shows up is welcome to show up and distance themselves. It is at 9:30am that is the time the Legion would normally come over so if they're allowed we have the right time for them. Greg Such commented that we cannot have more than 25 people.

Personnel:

Greg Such reported that we had a scare that we thought someone had the Corona Virus, it was not but it made us realize we did not have a personnel policy for people to quarantine themselves. Jason, Phyllis and Greg drafted that policy and circulated it for review, we need to ratify the change in personnel policy which basically states that in the event that someone becomes symptomatic or believe they've been exposed to another with the COVID-19 virus they are quarantined from work for 14 days with pay. In the event their doctor identifies that they do not have Corona Virus they are to come back to work.

In a motion made by Jason Sarver and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to amend the Personnel Policy.

Jason Sarver commented to Amy (Brown) and Frank (Grannon) that if they have or hear of any concerns regarding COVID-19 to reach out to Greg (Such), Phyllis (Metz) or himself. Joe Dippold inquired if we should make it generic health policy instead of making it Corona specific. Greg Such responded that we tried to write it generally, we said COVID-19 or flue like symptoms.

Finance:

Joe Dippold reported that the Fire Department sent a request for donation, not going to discuss at this time as we have received other request for donations.

Streets:

Don Sims reported that we are not moving forward on the Mercer Street drainage until we are done with this current event (COVID-19).

Facilities:

Dave Szakelyhidi stated that he brought it up a month or two ago about getting power run to the Sapienza street light or removing the light; Council wanted a recommendation from Frank Grannon. Dave is ready to either remove the light or hire somebody to run a new wire into Sapienza's. Don Sims inquired if we did the investigation that was requested at that meeting. Dave Szakelyhidi responded that Frank (Grannon) did an investigation. Joe Dippold reported that he spoke to Mark (Sapienza) and Mark will fix it when he has a chance. Greg Such commented that it was what was decided at the meeting. Joe Dippold stated that he will talk to Mark. Jason Sarver commented that he echoes what Joe said. Dave Szakelyhidi commented that we put two lights there; we know the light is good. Greg Such stated that Mark (Sapienza) said that he would investigate it let's let Joe (Dippold) or Jason (Sarver) talk to Mark.

Grants:

Greg Such reported on the RACP Grant, it is moving forward slowly he is beginning to get a fuller picture of costs; he worked a little bit with Tom Thompson last week. We should schedule a separate meeting to discuss the costs and how we need to cover those. Dave Szakelyhidi inquired if we need to apply for the Infrastructure Bank loan to cover our portion of the required payment; and also set up a meeting with Zelenople so we all understand it and let Tom Thompson explain it to us. Don Sims commented that he thought Council was going to wait until the next meeting to start discussing these types of items. Greg Such commented that one thing he should say is that Zelenople got a high dollar amount loan from the Infrastructure Bank at a 1/2% or .59% so if we can get money like that we should probably look at it. Jason Sarver commented that he has reached out to other municipalities and what triggered him to do that was something that Matt said at the last meeting, that most municipalities that he works with do have these types of low interest small loans and he found that to be true. He found that most had 1 or 2 loans out for revitalization purposes. Greg Such commented that the Nextier guy was surprised that we, the municipality had no debt. There is one thing that we can do on the RACP Grant, there is an environmental survey that is needed it is \$2600. What the survey is to look for places that if the curbs or sidewalks or streets are disturbed it might cause an environmental issue, it could be something like old gas tanks that are buried, somewhere there is a drycleaners where dry-cleaning fluid could escape. That survey is \$2600 and we need to do it to move ahead with the grant. Dave Szakelyhidi inquired why we have to do it if we do not have the target. The only thing he can think of is Sapienza's and the old tannery behind Mantia's. Greg Such replied that it has to be done in the Square, the area we are doing the work with the grant. Don Sims commented that the whole grant situation has changed drastically since he had supported when we started this. Don does not want to keep throwing money at this at this time. Dave Szakelyhidi commented that he has a different opinion and he will vote to move forward with it. Don Sims inquired how we are going to afford the grant; the whole Borough will be in debt to do it. Don stated this is what he did not want to have if

Grants Cont.:

we were just going to have a meeting to discuss business that needed to be completed; this is not an item that needs to be completed. Dave Szakelyhidi disagreed. Don Sims commented that he has held off on drainage due to this whole thing. Greg Such commended he would like to have the environmental study done so we can move forward.

Dave Szakelyhidi made a motion to proceed with the environmental survey as required by the RACP Grant. Phyllis Metz seconded the motion. Don Sims opposes the motion.

Roll call vote: Phyllis Metz – yes Frank Luek – yes
 Dave Szakelyhidi – yes Joe Dippold – yes
 Don Sims – no Jason Sarver – yes
 Greg Such – yes

Motion carried.

Streets Cont.:

Don Sims made a motion to have the Borough Engineer do an Easement for the drainage on Mercer Street down through that gentlemen's property to the Creek, Joe Dippold seconded the motion.

Dave Szakelyhidi commented that he is opposed to it. Mayor Cathy Rape inquired if anyone had confirmation from the property owner that it would be a definite yes that they would let it go through before we spend money on an engineer. Don Sims commented that Frank Grannon spoke to the property owner and he was acceptable of it, nothing more was pursued because of COVID-19. Jason Sarver inquired if Frank was confident the property owner would not have a problem with it going through there. Frank Grannon replied that when he spoke to the property owner he was not originally for it, Frank addressed his concerns and then he was for it at that point. Dave Szakelyhidi would like something in writing because he does not think the property owner wants us to move it down to his house. Don Sims commented that the Easement would be his approval of it. Greg Such commented that we joined the Storm water group and we have two studies, in one of those studies that is one of the areas that HRG is familiar with as being an issue; we could use HRG to study that area as a way to move us forward. Don Sims reported that the property owner he had spoken to and Frank Grannon has spoken to and Frank eased his concerns; that was the last we had heard of it; he was in favor of us coming through; happy that we would be taking care of that and improve that road right there as part of us putting that drain pipe down through; Don has nothing else to offer other than the property owners verbal. Greg Such suggested making a motion contingent on his acceptance and contingent on having a solid opinion from the Engineer. Don Sims commented that is what we just did; the Easement is the formal signature that he (property owner) would have to do. Greg Such agreed but stated that what we want to get out of is doing all the drawings and have the Engineer draw stuff up and throw it away. Don Sims agreed, but that is exactly what we have to do; we have to provide an Easement for him. That is our only legal binding document. Greg Such commented that the Easement has a drawing with it and some survey coordinates. Solicitor Matt reported that there are two parts to the Easement, there will be the written legal part and an attachment that lays out the specifications on a map. You would need to have the Easement prepared generally by him and then on the back end the attachment to it and the home owner would sign it, get it back to Matt and he

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would have it recorded. Solicitor Matt suggested doing a motion to approve the drafting of the Easement and drawing contingent upon the prior verbal approval of the home owner. That way someone can approach him, tell him that we are only going to spend the money on the Engineer and Lawyer if you give us your assurance that you are going to go for this.

In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the drafting of the Easement and drawing contingent upon the prior verbal approval of the property owner. Don Sims and Joe Dippold inquired who would talk to the property owner. Don Sims wants Frank Grannon to talk to the property owner. Dave Szakelyhidi wants Solicitor Matt to talk to the property owner. Cathy Rape volunteered to talk to the property owner. Don Sims commented that he will go with Matt. Don liked the fact that Frank Grannon spoke to the property owner and it was a good conversation and wanted to continue with that person because that is the guy he will be talking to during the work anyway. Solicitor Matt commented that as long as the phone call is less than 15 minutes he won't bill for it. Frank Grannon and Don Sims both commented that that is not possible. Don Sims commented to let Frank Grannon talk to him (the property owner).

Training & Conferences:

Greg Such reported that there are a lot of webinars especially that is applied to this emergency and COVID-19. The PSAB Meeting in Hershey has been cancelled. Phyllis Metz commented that the BCBA Meeting is cancelled too.

Kathy Luek reported that she had someone call today and offer to pay for a hanging basket for the Square and inquired if anyone had heard anything of anyone wanting to buy baskets. Jason Sarver inquired how much the baskets cost, Kathy Luek responded she's assuming \$20-\$25 per basket. Solicitor Matt stated that he would buy a couple. Greg Such stated that he will buy one. Phyllis Metz inquired how many are needed. Kathy Luek responded that there are 8 lamp post and they put 1 or 2 on each lamp post. Cathy Rape commented that they already got the baskets ordered at Mussig's about a month or so ago and he already started planting them, we have 16 coming. Cathy Rape reported that we had some money built up from last year that she accumulated from doing weddings in the Borough, Amy has the account. The baskets will be coming by the end of the month and will be hung up before Memorial Day. Greg Such commented to figure out how much a basket is and we will go from there.

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 \$ **8,243.63** (\$7,956.67 after HBWA reimburse)

Bills Already Paid in the amount of \$ **36,687.81** (\$35,027.69 after HBWA reimburse)

Fire Tax Bills Payable in the amount of \$ **5,439.49**

Fire Tax Bills Already Paid in the amount of \$ **2,051.39**

Payroll in the amount of \$ **12,567.84**

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BILLS PAYABLE CONT.:

In a motion made by Jason Sarver 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 8:32 pm, out of executive at 8:39 pm.

Adjourned: 8:41 pm

As there was no further business to discuss, the Harmony Borough Council adjourned the May 5, 2020 Zoom virtual meeting at 8:41 pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

April 2020

1. Stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. Stopped by the office to pick up mail and material for review that Phyllis found when organizing the borough records for retention or destruction. Reviewed material for retention.
4. Spoke with Larry Meeder regarding the need for a permit to replace a porch roof at 756 Spring St.
5. Received a complaint pertaining to a skid of roofing shingles on the sidewalk at the corner of Main St. and German St. I spoke to the roofer and he said the shingles were there to keep people from walking on the sidewalk when they were working. I told him that they are in violation of a borough ordinance not allowing a sidewalk to be blocked. I asked him to remove them and that he could tape it off when they were working. He said that he would comply.
6. I spoke to Rachel from Home Depot regarding replacing a door at 300 Mercer Rd. and if a permit was required. I told her no.
7. I spoke with Chris in Swamp Poodle regarding whether or a permit was required to put dirt in his back yard.
8. I spoke with George Schillinger at 552 Main St. about his dissatisfaction with having an ice cream store next to his house and the sharing of a driveway. I told him that I would look into it and get back to him.
9. I spoke again with George Schillinger to review the borough's ordinance and explain that Sam's opening of an ice cream restaurant is totally compliant as well as access via Church Alley. I spoke with Greg to clarify the matter.

George ask for Sam's phone number but I told him that I could not give it to him but would call Sam and give him George's phone number. Sam said he would contact George to further discuss his concerns.

10. Spoke to a man regarding zoning district for 560 Main St.

Respectfully submitted,

Allen E. Bayer