

May 4, 2021

HARMONY BOROUGH COUNCIL MEETING May 4, 2021

COUNCIL MEMBERS PRESENT:

Greg Such - virtually

Frank Luek

Dave Szakelyhidi

Joe Dippold

Phyllis Metz - virtually

Don Sims

Jason Sarver

Mayor Cathy Rape

OTHERS PRESENT:

Sherry Cepek - virtually

Rodney Gasch - virtually

Frank Grannon

Ron Goehring - virtually

Harold Herr

Sam Hopkins - virtually

Kathy Luek

Joe McCombs

Josh Meeder

Chief Jim Miller - virtually

Andrew Orient

Solicitor Matt Racunas - virtually

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CALL TO ORDER:

Council Vice President Don Sims called the meeting to order at 7:00 pm. This meeting was held in-person and 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 April 6, 2021 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that he continued with the execution on the zoning judgment and filed the appropriate paperwork with the County. Matt also reported that they will discuss the Fire Tax millage later in the meeting.

BOARD REPORTS/APPOINTMENTS:

Political Candidate:

Joe McCombs – Candidate for Magisterial District Judge. Joe has been in public service for 39 years, 31 of those years in law enforcement. Joe has worked in Jackson Township, Lancaster Township, and Evans City, and now the Evans City/Seven Fields Regional Police Department. Joe is also active in the Evans City Fire Department with 25 years of service. Joe commented that he has managed police professionals, civilian office staff and has been responsible for managing millions of dollar in budgeted funds; his work experience has him ready to take on this new challenge. Solicitor Matt Racunus commented that he is the Solicitor for the Evans City/Seven Fields Regional Police Department where Chief McCombs serves and he has nothing but the utmost report for Joe, he is a great Chief, does a great job and would make a great Magistrate given the opportunity.

Appointments:

Greg Such reported there are no appointments.

COG:

Phyllis Metz reported that the balance in the COG treasury is \$63,362.03 with March expenses of \$267. The crack sealer is still available with a fee of \$600, call Cranberry Township to schedule. Tom Knight is to send a form to the municipalities to list COG delegates, as to date we have not received the form. The next meeting will follow the County Commissioner's Community Outreach meeting on May 18th.

HARB:

Dave Szakelyhidi reported that there were four Certificates of Appropriateness that HARB approved and recommended to Council. Kathy Luek reported on the Certificates.

Sam Hopkins – Neff House 550 Main Street – Font and color for a sign (the font to be the same as sign on south end of Square in monument area) top portion of sign to be black lettering on white background for building name – Neff House – three horizontal white and black letting boards below with names of businesses. Sign to be done by Sign Innovation using same fonts.

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HARB Cont.:

Sam Hopkins – Neff House 550 Main Street Cont.:

In a motion made by Jason Sarver and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 550 Main Street sign's font and color.

Sam Hopkins – 259 Mercer Street - Placement of air conditioning condenser until on the west side of the building towards the rear of the building.

In a motion made by Greg Such and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 259 Mercer Street's air conditioning condenser unit.

Josh Meeder – 206 Mercer Street – 36" x 80" Craftsman right-hand inswing 6 lite clear steel pre-hung front door with brick mould. This door will replace the previously approved door. Door to be painted Caliente Red by Benjamin Moore.

In a motion made by Frank Luek and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 206 Mercer Street.

Josh Meeder – 253 Mercer Street – Posts and beams/rafters of former greenhouse adjacent to Opera House to be painted Sherwin Williams Cyberspace Gray 235C7 (rafters) and post Sherwin Williams Sandbar 284C2 and any accents, if needed, Stolen Kiss 275C1. (The colors are the same as the Opera House colors).

In a motion made by Jason Sarver and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 253 Mercer Street.

Kathy Luek commented that Josh Meeder is selling the house at 206 Mercer Street, the new owner will move-in June 1st but the closing isn't until October. Kathy inquired if the new potential owner could deal with HARB as Josh will be out of town. Solicitor Matt Racunas commented that if there is an agreement in place between the two parties pending the closing in October; as long as they supply that agreement to HARB that will suffice to give them the vested interest in the property and they can work with HARB.

Water Authority Board:

Dave Szakelyhidi had nothing new to report.

Parks Board:

Greg Such reported that volunteers will be weeding Wood Street Park tomorrow night.

Library Board:

Kathy Luek reported that the Library sent out letters requesting donations for their Bucks for Books fund drive and added that the Library has to spend 12% of their income on books and is asking the community to donate. On the back of the letter it talks about plans for an addition to the Library and asks if you support a capital campaign for a single story addition and a small parking lot and if you would contribute to the campaign. Kathy also commented that the Borough is giving a half of a mill to the Fire Department and to consider giving a half of a mill to the Library.

Planning Commission:

Frank Luek had nothing new to report.

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WBCA:

Greg Such had nothing new to report, WBCA is continuing to work on the Act 537 Plan with the communities.

Shared Services:

Frank Grannon reported that limb pick up is Thursday, May 6th and will be the first Thursday of every month.

Parking and Signage:

Greg Such had nothing new to report.

Historic Harmony:

Rodney Gasch reported that the Museum will open June 1st. Docents are needed to give tours, Kathy Luek will be giving docent training. The Hunt for History is a scavenger hunt that will run from May 21 through June 13, participants will buy a Hunt for History booklet which costs \$20, there is 10 places in Harmony and 10 places in Zelie they need to find and answer a history related question, the entry sheets are submitted for a chance to win a fabulous prize.

Walking tours on Saturdays in June, cost is \$10 per person. The Museum is partnering with the Harmony Business Association to sponsor Artisan Saturdays in June.

HBA:

Sherry Cepek reported the Artisan Saturdays will be June 5, 12, 19 and 26th; they will set up in parking lots in town. The Farmers' Market will re-start on June 7th at the Zelie Park from 3:30 – 7:00pm. Cathy Rape inquired if HBA was getting a port-o-john for the Artisan Saturdays. Sherry commented that their meeting is on Thursday and will discuss it and commented that they are looking for a different location to place it other than the court yard. Cathy Rape suggested placing one by the corner of Mark Sapienza and the wine shed and the firemen's parking lot and having it for the summer concerts.

Other Meetings:

Storm Water Meetings – Don Sims reported that the next Storm Water Meeting is May 5th with the Commissioners. Greg Such reported that the next County Commissioner's Community Outreach meeting is May 18th.

PUBLIC COMMENT:

Josh Meeder – 206 Mercer Street – Josh inquired if the Commissioners' Meeting was public. Greg Such responded that he believes so, Don Sims responded that it should be. Josh thanked Council for their attention to storm water management and participating in the community discussions.

Sam Hopkins – 132 S. Pittsburgh Street - Sam reported that excavating for the new building on Main and Robinson will begin Monday or Tuesday, weather permitting.

Sherry Cepek inquired if there are any talks about resuming regular meetings. Don Sims responded that they are in a public meeting now in the borough building; some of Council is joining remote.

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BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported that limb pick up is the first Thursday of every month through August. Frank reported that he has been preparing for the Water Authority's water plant performance evaluation with DEP and getting everything ready for the paving bids.

Zoning and Codes:

Allen Bayer report submitted via email.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Phyllis Metz reported that she contacted US Liner regarding closing the Square during the concerts, Phyllis also requested Police service for the 1st concert to see how it goes.

Phyllis reported on an Event Form for Fundraising in the Square in June, July and August. Joe Dippold reported that the Borough gets requests for donations to the Zelenople Pool, Library and will also need money for the Square. Joe would like to do a fundraiser once a month starting June 12th to donate monies to those causes without affecting the Borough's bottom line. Joe was thinking about standing in the Square with a jug, like Evans City does. Phyllis Metz recommended a sandwich board with something written on it stating what Joe is doing to make others aware of it.

In a motion made by Phyllis Metz and seconded by Dave Szakelyhidi the Harmony Borough Council unanimously approved the Event Form for fundraising.

Business Development:

Mayor Cathy Rape reported that she will leave the Butler County Chamber of Commerce Directory for Amy to keep in the office. One of the fundraisers for the plants in the Square is the Harmony Plant Exchange and Sale on June 12th from 9:00 am until 3:00pm located in the parking lot at 223 Mercer Street (Rodger Brothers) the proceeds will go towards the Beautification Fund; Cath is also looking for volunteers to help that day. There will be a Memorial Day celebration on May 31st at 9:30 am in the Square. Jason Sarver inquired if there would be traffic control. Dave Szakelyhidi commented that we will request Zelic Police to be here. Chief Miller commented to call the office a couple of days ahead of the event.

Personnel:

Jason Sarver had nothing new to report.

Finance:

Joe Dippold reported on the Fire District millage increase. Don Sims reported that he made a proposal to draft an ordinance to do a flat tax increase to equal 1.5 mils,

Finance Cont.:

approximately \$11,000 and divide that by the 461 taxable properties in the borough, which comes out to \$23.86 that would be added to everyone's annual taxes with the time limit of 25 years (the timeframe the Firemen gave for completion of their building). Solicitor Matt commented the current Fire Tax rate is 1.5 mills. Solicitor Matt commented that the income generated from the flat rate tax would not change over the course of time instituted; however the ordinance could be changed next year or the year after but the impact of that affects different people differently. The flat rate is not adjusted based on someone's income, whereas if it is based on millage it is based on their tax rate. Therefore those with a higher tax rate will pay more and those with a lower tax rate will pay less. Solicitor stated that it is open for discussion on how Council wants to proceed with implementing the increase. Joe Dippold commented that he is not in favor of a flat rate; he would rather go to 3 mills. If we are going to go with a flat tax, the numbers should be re-evaluated every year to make sure the borough is contributing equivalent to the additional 1.5 mills. Dave Szakelyhidi commented on Zelie's proposal being contingent on other municipalities doing the same. Jason Sarver commented that 3% would vary per property. Don Sims commented that it is based on property not income; unless there is a re-assessment how would that affect the bottom line. Joe Dippold responded property transfers change the assessed value of a property. Cathy Rape commented that she likes the 3 mills also and the 25 year term, even if the Fire Department would pay the building off they will have other expenses such as trucks and training. Cathy also commented that other municipalities have growth and Harmony Borough does not. Greg Such commented there are three issues, 1. Administration of the flat tax requires figuring out what to charge when a house changes hands, it would need to be re-evaluated every year. Don Sims commented that there would not be a re-evaluation, it is a flat tax. Greg Such asked what happens to the rate when he sells his house for twice what he paid for it" Don Sims commented that it wouldn't affect it, it is a flat tax. Joe Dippold commented that it does affect it because we have to match the 1.5 mil. Solicitor Matt commented that a flat tax cannot equal a millage rate; you would need to constantly change it. It is either a flat tax with a lump sum amount or a millage rate increase. Greg Such expressed his concern on Butler County Tax Authority to get a different formula right, do not want to make things too complicated. Greg also commented that it has to be equivalent to 1.5 mills. That is Zelie's concern, that one of the other communities is going to do something like that, and they have already passed and said they will not support a millage increase under those conditions. Dave Szakelyhidi asked Greg to read Zeliénople's motion to let Solicitor Matt evaluate it. Greg Such read Zeliénople's motion, a motion was made to follow the intention of Zeliénople Borough to raise the property tax millage for the Fire District to 3 mills annually, at the appropriate time at year-end during the budget approval process in December 2021. This support comes with the following condition, that all member municipalities also support the project with the necessary millage increases or their equivalent; the equivalent must include a guarantee that it will be raised and maintained to a commensurate amount as its property tax millage equivalent which is based upon growth and property values factors. Solicitor Matt commented that they are conditioning that all municipalities are doing the equivalent. Greg Such commented if we don't follow along then the other big community will eventually be underpaying their share of the Fire Tax. Dave Szakelyhidi liked Zeliénople's wording and recommended we use their motion.

Finance Cont.:

In a motion made by Dave Szakelyhidi and seconded by Don Sims, Harmony Borough Council unanimously approved the 3% Millage Fire Tax. Jason Sarver inquired if the wording specifies how you get to the 3 mil. Solicitor Matt responded that the Volunteer Fire Company is separately incorporated organization, they are their own entity, they have their own board, make their own decisions; the only two thing we provide for them is two things: Financial support through fire tax millage and through payment of insurances. The other thing the borough does is to make sure fire departments are recognized so they get the 911 calls from the county. They are their own entity, the borough cannot control them. If you are not happy with the way the Fire Company is running things the borough can decide not to recognize them, and not give financial support. Greg Such commented that his proposal was to establish a board similar to the WBCA Board so the municipalities have some oversight of what the Fire Company does as part of making this millage increase. Solicitor Matt replied that it doesn't work that way.

Streets:

Don Sims reported on the bid openings for Liberty Street and Mercer Street, and entrance section of Pittsburgh Street. There were 4 bids received, Weist Asphalt Products and Paving was low bid at \$23,893.49

In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council unanimously approved awarding the paving bid to Weist Paving.

Don Sims also commented that there is a section that the borough will self-perform and will be going with the borough's on-call contractor and are waiting for him to get freed up to give the borough an estimate for his time and equipment rate, the borough will supply the materials up at Pittsburgh Street.

Facilities:

Dave Szakelyhidi inquired on Mark Sapienza's light. Joe Dippold commented that it is weather related, has been on several times. Greg Such commented that it tends to be off when it is wet. Cath Rape inquired on opening the borough office. Jason Sarver responded that Personnel will address it.

Grants:

Greg Such reported that he and Joe have been working on putting a packet together; Greg drafted a cover letter, sent that to Harold Herr for review and comment. Another item that goes in the pack is the Auditor's letter, they have a meeting scheduled for Thursday with the Auditor and are pulling other materials together as they go. Joe and Greg continue to work to get that packet together.

Training & Conferences & Correspondence:

See Correspondence List.

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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 \$ **9,493.70** (After HBWA \$9,206.74)

Fire Tax Fund Bills Payable in the amount of \$ **5,357.25**

Parks Board Fund Bills Payable in the amount of \$ **108.75**

Payroll in the amount of \$ **6,401.14**

Bills Already Paid in the amount of \$ **9,231.18** (After HBWA \$7,384.57)

In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council unanimously approved all bills for payment as presented on the lists.

Adjourned: 8:15pm

As there was no further business to discuss, the Harmony Borough Council adjourned the May 4, 2021 Hybrid meeting at 8:15 pm, motioned by Dave Szakelyhidi and seconded by Joe Dippold.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

April 2021

1. Stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. Spoke with Tom Ayers at Seneca and Mercer Sts. regarding permitting requirements for concrete pad, fence and possible French drain.
4. Attended April HARB meeting.
5. Attended April Council meeting.
6. Spoke with Amy Marcinkiewicz regarding political signs in the borough.
7. Spoke with Delsa White regarding permitting for a shed.
8. Spoke with resident on Seneca regarding zoning for a fence in the rear yard.
9. Performed inspection of 2 house number violations. One was corrected.
10. Spoke with Andrew Orient regarding extending his dumpster permit for 30 days.
11. Prepared a building permit for a fence in the rear yard of 1116 Seneca Dr.
12. Performed inspection of house number violation. Violation was not corrected so I prepared a reminder notice. Stopped by the office to pick up mail and sign the reminder violation notice.
13. Spoke with Dave Geis, 117 Jackson St., regarding the need of a building permit for removal and soil backfill of a cement pad remaining from the demolition of a building at the location last year. I informed Dave that a building permit would not be required to do this. He ask that I send to him a confirming email stating this due the problems he had last

year with a neighbor related to the demolition, I sent Dave a confirming email per his request.

14. Created US Liner violation notice for trailers on parking lot. Stopped by the office to sign the violation notice.
15. Spoke with Anthony from Moorestown, NJ regarding zoning for 47 acres for sale in Harmony Borough. I referred Anthony to Jackson Twp.
16. Prepared April Time and Activity Reports.

Respectfully submitted,

Allen E. Bayer