

July 6, 2021

HARMONY BOROUGH COUNCIL MEETING July 6, 2021

COUNCIL MEMBERS PRESENT:

Greg Such
Phyllis Metz
Frank Luek
Dave Szakelyhidi
Joe Dippold
Don Sims
Jason Sarver
Mayor Cathy Rape

OTHERS PRESENT:

Susie Altemus
Allen Bayer
Rodney Gasch
Ron Goehring
Frank Grannon
Sam Hopkins
Mike Kopp
Andrew Orient
Nate Patterson
Solicitor Matt Racunas – virtually
John Rice
Alex Weidenhof

July 6, 2021

CALL TO ORDER:

Council President Greg Such 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 Phyllis Metz and seconded by Frank Luek, the Harmony Borough Council unanimously approved the June 1, 2021 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported on the amendments to the Sunshine Law the Governor approved. This requires a couple of things, the first being a 24 notice of the meeting agenda, it is required this be posted online, at the meeting site, with copies available for attendees. The agenda needs to have a detail of any agency business that will be deliberated or official action that will be taken. The second is that it prohibits any action not listed on the agenda except for emergency votes that involve a clear and present danger to life or property, a de minimums vote that does not involve any money or expenditure of funds or contracts. The third is that an item can be added to the agenda by a majority vote with the reason it is added being announced before the vote.

Matt reported that a zoning issue is still proceeding and will deal with it at the end of the month, Matt will continue to work with Allen on it.

Matt also reported that WBCA will be sending a letter out stating the 537 Project will split the pump station from the plant expansion. This will require the borough to rescind the resolution previously adopted and adopt a new resolution.

Cathy Rape inquired if Matt heard anything from the Railroad regarding the parking lot on German Street, if Council wants to pursue that and if she could write them a letter. Matt has not heard from the Railroad in some time, if Cathy wants to write a letter she can.

GUEST:

Nate Patterson with Fidelis Productions reported that they are interested in filming a scene from American Rust consisting of a police cruiser on Mercer Road between Seneca Drive and Spring Street for a television series. Street closures would be necessary, roughly 1 to 3 minutes with two police officers and flaggers on the side roads to enforce the short-term closures. Filming is scheduled between 2:00pm and 5:00pm on July 20th. An Event Form was submitted prior to the Council meeting. Greg Such asked for a Certificate of Insurance, Nate Patterson replied that in order to issue a Certificate of Insurance they need to have some sort of agreement in place, perhaps they could make a donation to the Borough. Joe Dippold inquired if there would be any set design like painting curbs or whatever; Nate said that there would be no changes to roadway or properties.

In a motion made by Frank Luek and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the Event Form for Fidelis Productions' filming contingent upon receiving the Certificate of Insurance.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported there are no appointments.

July 6, 2021

BOARD REPORTS/APPOINTMENTS CONT.:

Council of Governments (COG):

Phyllis Metz reported that a total of four people attended the COG meeting, her and three township managers. Tom Knight is in the process of updating the list of representatives' contacts. COG decided to have quarterly meetings and the next meeting will be August 30th.

HARB:

Dave Szakelyhidi reported that there was not a quorum; the Harmony Inn had submitted a sign proposal and a proposal for bollards, no action taken.

Water Authority Board:

Dave Szakelyhidi reported that there were 3 deficiencies from the DEP inspection. Dave reported that they hire Hach to calibrate their instruments four times per year; DEP wants it every 90 days. Frank Grannon commented that one incident was 2 days past the 90 days which triggered a violation. The biggest part was getting the response letter and the Water Authority's reply. Dave Szakelyhidi commented that some of it was out of their hands with COVID but overall they did pretty good.

Parks Board:

Susie Altemus reported that the concert and fireworks went well. Susie is working with Frank to get the limestone from the County Reno grant spread on the trail. The old benches have been moved from Wood Street to Swampoodle Park. There were plants donated to Wood Street from the Plant Exchange & Sale. The Canoe Launch is being used a lot. The next concert is July 15th the band is This, That and Other Thing.

Library Board:

Frank Luek reported that the Library is open with regular programs.

Planning Commission:

Greg Such reported that Joe White sent an email to Council stating the Planning Commission approves the Gally Hill building project; but suggested that an arrangement be formalized with Robinson to use their parking lot on German & Liberty.

WBCA:

Greg Such reported their meeting is Thursday, July 8th.

Shared Services:

Frank Grannon had nothing new to report.

Parking and Signage:

Greg Such had nothing new to report.

July 6, 2021

Historic Harmony:

Rodney Gasch reported there is a demonstration of Hugelkultur is at the Barn, it is a pile of soil where a hollow tree stump was. Hugelkultur is a German gardening technique using a large hollow trunk, layers of hardwood logs, softwood logs, bark and topsoil which forms a compost pile. It retains moisture as there is no water there, plants will go in soon. Rod reported that signs have been added at the Barn as they've been having issues with people not cleaning up after their dogs.

August 21st is the Antique Gun Show, the week after that they are hoping to bring in Eugene Friesen, the Cellist. Mr. Friesen was so impressed with the Wine Cellar and Meetinghouse that he wants to return to record Harmonist music. The Museum is fundraising for that.

Rodney distributed tour guide scripts to Council and the booklet of John Melich that was discussed at the June 1st Council meeting.

HBA:

Cathy Rape reported that HBA is having Christmas in July, the 22nd through the 25th.

Other Meetings:

Greg Such reported that he sent an email to Council of notes from the Commissioners' Municipal Outreach Meeting, Sherry Sholes also sent out an email which included meeting dates for the remainder of 2021. Cathy Rape reported that there is a Zoom meeting with Representative Jim Marshall on Monday, July 12 from 5:00 – 6:30pm on the Rt. 288 relocation project on the impacts, schedules and detours.

PUBLIC COMMENT:

Sam Hopkins – 132 S. Pittsburgh Street- Sam inquired on placing a sign on the concrete half wall in front of the ice cream shop at 550 Main Street, the Neff House. Greg Such commented that a concern would be mowing; Sam stated that he mows it. Jason Sarver commented that it's not at an intersection to block the view.

In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the sign on the half wall in front of 550 Main Street.

Sam Hopkins also inquired on placing a crosswalk from the Visitors' Cabin towards the bridge. Greg Such inquired if permission from the Railroad would be needed. Dave Szakelyhidi commented that the Railroad owns abutment to abutment and the Borough owns the rest. Don Sims commented that putting a crosswalk in an area that is traverse with vehicles without any kind of stop you're setting somebody up to get hit and recommended using the crosswalks at the intersections. Frank Luek commented that we already have one on Mercer Street. Don Sims recommended Sam to get a drawing and all his information together and talk to a Safety Officer. Mayor Rape commented to move the Pedestrian Sign up from the Museum to slow traffic down. Frank Grannon inquired if a traffic study would be needed. Greg Such will ask Chief Miller for his opinion.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

July 6, 2021

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported that the sink hole on Center Street has been cut out and filled in, Voelker came in and patched it and patched some potholes. Frank reported that the pipe, gravel and catch basins are on site and the street was cut today to put drains in on Pittsburgh Street. Frank completed the salt survey for the second part of the salt order for 2021-2022 season. Mayor Cathy Rape commented that she wanted crosswalks in town done before the end of May. Frank Grannon responded that it was too cold and damp to paint the crosswalks in May. Cathy Rape also reported that 50% of cars on Mercer Street do not stop at the Stop signs at Spring and Mercer Streets; she suggested replacing the batteries for the flashing lights on the Stop signs or take the batteries off the Stop signs. Greg Such suggested a solar panel for the flashing lights. Jason Sarver commented that they looked into it and they were expensive, and the batteries are also expensive and need regular replacement.

A motion was made by Dave Szakelyhidi and seconded by Don Sims to remove the batteries and the flashing lights from the Stop signs at Spring & Mercer and German & Main. Mayor Rape commented if the crosswalks were painted maybe it would slow people down, we need to think about safety with people in town. Roll call vote was taken, Phyllis Metz-yes, Frank Luek-yes, Dave Szakelyhidi-yes, Joe Dippold-yes, Don Sims-yes, Jason Sarver, and Greg Such-no. Motion passed. Cathy Rape inquired if Shane (Eppinger) was mowing the house on Grandview, Frank Grannon responded no.

Zoning and Codes:

Allen Bayer report submitted via email.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Phyllis Metz reported on an Event Form for a Block Party on Monroe Street on July 10th from 1:30 pm until 5:00 pm, meeting at Lefebvre's house, Council is invited; street closure would be for the South end of Monroe Street.

In a motion made by Phyllis Metz and seconded by Frank Luek the Harmony Borough Council unanimously approved the Monroe Street block party.

Business Development:

Mayor Cathy Rape inquired on the new booklet, most of Council hasn't had a chance to review it. Cath also inquired on putting a Newsletter out by August 1st to finish off the year. Cathy reported that she received complaints on traffic behind the Weavers' Cabin and asked if Council would consider making the alley a one-way, go in across from the Harmony Inn and come out down below. There could be extra parking on it with the alley being one-way. Don Sims suggested Cathy draw it up and send it to Chief Miller on behalf of Council and get his opinion; if he thinks it is a good idea then it can be added to the agenda and be voted on. Cathy also reported that she received a complaint regarding US Liner, it is a pig pen. Allen (Bayer) will send US Liner a violation notice.

Personnel:

Jason Sarver reported that he has an update to be discussed in the executive session.

Finance:

Joe Dippold had nothing new to report.

Streets:

Don Sims reported that Jackson Township will pave and put a bike lane in on Old Little Creek Road, Don assumes on the Jackson's side. Greg Such commented that Chris Rearick will send more information before it happens. Frank Grannon reported that he talked to Jason Knox when putting in Harmony Place, he said they will hug the Jackson side until they get down to Mercer Street and then it will be share-the-lane.

Facilities:

Dave Szakelyhidi inquired if something happens with the Railroad bridge is the Borough absolved of liability. Solicitor Matt commented that the Borough is not the owners, Matt has sent them letters putting the Railroad on notice, the Borough's liability is limited not only because we tried to do what we could to put them on notice but also the Borough has some protections from general governmental immunity under the Pennsylvania Tort Claims Act; it is unfortunate that the Railroad hasn't responded. Greg Such inquired if the Borough has any liability if a building collapsed, does the Borough's IPMC code cover us. Solicitor Matt stated negligence involves an element of foreseeability; the Borough is generally not responsible for things we do not own; even though the Borough has inspection rights it doesn't mean they are responsible if something goes wrong. The owner themselves are the ones ultimately responsible, but it doesn't mean somebody won't sue the Borough. Dave Szakelyhidi inquired on the Mantia property that is deficient and can't be rented, does Council sit year after year and look at it. Solicitor Matt commented that the Borough has rights of condemnation and demolition if a building becomes blighted or structurally unsound, or unsightly. The Borough has rights beyond code that can be enforced. Greg Such commented that it would be blighted property not safety; the building inspector deemed it as safe. Solicitor Matt commented that the Borough had a structural inspection years ago that deemed it not to be a structural issue. It can be a health and safety danger without it being structurally unsound. Dave Szakelyhidi commented on WBCA's line going under that building and inquired if it would be impacted by the new development. Solicitor Matt commented that he was not aware of that but it is more of a question for the Engineer. Greg Such and Solicitor Matt will discuss at the WBCA meeting. Cathy Rape commented that she would like the Borough employees to use weed killer spray on the curbs along German Street and Mercer Street. Phyllis Metz commented that each property owner is supposed to clean up their own curb. Cathy inquired about the Square. Don Sims commented that it is the Borough's. Joe Dippold commented that he's done it in the past; he will take care of it. Cathy commented that it is not Council's responsibility; she wants the employees to get weed killer and spray. Don Sims commented the properties around the Square are all privately owned, if she is concerned she can speak to each owner of the properties. Phyllis Metz suggested adding it to the Newsletter that property owners are to clean

July 6, 2021

Facilities Cont.:

the weeds by the curb. Dave Szakelyhidi reported that Ron Goehring stated that a lot of the streets lights along Rte. 68 are out. Greg Such commented that there is money in the budget to do four lights every year. Frank Grannon is to get prices. Phyllis Metz inquired if the lights were part of the Grant. Greg Such commented that there is money in the budget for four new street lights so let's just do it. Frank Grannon inquired where those four lights are to go, Greg Such suggested putting them up on Rte. 68, it is a visible spot.

Grants:

Joe Dippold reported that packets are going out this week for bank lenders on the RACP Grant. Greg Such reported that he and Amy completed the application for the ARPA Grant; it took about an hour and a half to complete. The ARPA Grant is the \$87,000 that gets paid this year and next.

Training & Conferences & Correspondence:

Listed in the Correspondence paperwork.

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 \$ **12,580.41**

Fire Tax Fund Bills Payable in the amount of \$ **70.24**

Liquid Fuels Bills Payable in the amount of \$ **1,279.10**

Parks Board Fund Bills Payable in the amount of \$ **1,615.47**

Payroll in the amount of \$ **10,965.70**

General Bills Already Paid in the amount of \$ **7,794.82** (After HBWA \$7,507.86)

Fundraiser Fund Bills Already Paid in the amount of \$ **138.31**

Parks Board Fund Bills Already Paid in the amount of \$ **500.00**

In a motion made by Frank Luek 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 8:21pm to discuss personnel, out of executive session at 8:49pm.

Adjourned: 8:49pm

As there was no further business to discuss, the Harmony Borough Council adjourned the July 6, 2021 In-person and Zoom virtual meeting at 8:49 pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

June 2021

1. Attended June Council meeting.
2. Stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
3. Filing and administrative work.
4. Stopped by 725 Spring St. and took pictures of tree in front yard and cones placed on sidewalk.
5. Spoke with Andrew regarding putting a butcher shop on Mercer St. across from Wunderbar. I referred Andrew to Jackson Twp.
6. Spoke with Coulton, Wanaford Consulting, regarding permitting requirements for inspection of Verizon pole signage per FDC updates via a bucket truck.
7. Performed two vegetation inspections.
8. Created vegetation violation notice at 306 German St.
9. Spoke with Don of Paul Davis Restoration regarding building permit for restoration at Twin Lakes Dr. I referred Don to Jackson Twp.
10. Spoke with George Schillinger, 552 Main Street, regarding zoning for fencing and sheds.
11. Completed building permits for signage at 550 Main St. and 251 Mercer St. Ice Cream shop menu and bike share.
12. Spoke with Weather Seal Home Service regarding building permit requirements for windows, siding and deck resurfacing at 1125 Seneca Dr.
13. Prepared high grass violation notice for Mantia property on Mercer St.
14. Spoke with Kate Berman, Berkshire Hathaway, regarding zoning for a property. I referred Kate to Jackson Twp.

15. Left a voice mail with Mark Ray, Scheffler Engineering and Surveyor, regarding his request for a sub division application. I referred Mark to Joe White.
16. Spoke with Dane Wolfard, at Robinson Fans, 724-816-9641, regarding a building permit for placement of a storage shed at the parking lot at German and Liberty Streets.
17. Spoke with Bod Butney regarding windows for Sam's building at Robinson Way and Main St. I referred Bob to Tom McCosby.
18. Met with Sam Hopkins and Mary Hess to discuss signage and street access to 550 Main St.
19. Prepared June 2021 Activity and Time Reports.

Respectfully submitted,

Allen E. Bayer