

October 5, 2021

HARMONY BOROUGH COUNCIL MEETING October 5, 2021

COUNCIL MEMBERS PRESENT:

Greg Such

Phyllis Metz

Frank Luek

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver

Mayor Cathy Rape - virtually

OTHERS PRESENT:

Susie Altemus

Allen Bayer

Frank Grannon

Sam Hopkins – virtually

Chief Jim Miller

Andrew Orient

Solicitor Matt Racunas

Engineer Tom Thompson - virtually

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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 Don Sims and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the September 7, 2021 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that the Seneca Valley PTA want to install playground equipment and requested the Borough extinguish an existing road right-of-way, Seneca Valley School Board approved it. Frank Grannon commented that a 20ft right-of-way is needed for the water tower water line. Solicitor Matt commented that nothing is being put over the waterline and it is only the road right-of-way. Dave Szakelyhidi commented that the Water Authority talked about taking the right-of-way out of the Borough's name and putting it in the Water Authority's name. Solicitor Matt responded that the existing right-of-way is in the Borough's name therefore to extinguish that right-of-way it would be with the Borough. Don Sims recommended pushing it back until next month and requested drawings. Frank Grannon will call Emily and request a drawing or sketch.

Solicitor Matt also reported on a possible zoning issue regarding a political sign for the Presidential Election 2024, it is election season for local not presidential. Solicitor Matt commented that the Borough may need to tighten up their ordinance but added that you cannot regulate the content of signs because that gets into first amendment issue. An ordinance can regulate the size, location, and duration. Mayor Rape inquired if Allen (Allen Bayer, Zoning Officer) had already addressed this with the property owner. Solicitor Matt commented that the sign was in violation of height requirement. Zoning Officer Allen Bayer reported that the issue with this sign is that it is a free-standing sign and needs to be at ground level and it also requires a building permit. Allen added that the ordinance does not specify when the sign is allowed to be put up, the ordinance states it is to be removed two days after the election with a permit and at ground level. Greg Such commented that 4 ft. x 8 ft. is the maximum size according to the ordinance. Cathy Rape commented that the sign has been there and wasn't a violation before. Allen Bayer responded the change of content is considered a new sign. Solicitor Matt will get samples of sign ordinances for next month's meeting. Allen Bayer inquired how long a sign can be up. Greg Such responded three months and standard size. Don Sims inquired if all the wire signs in town are a violation. Allen Bayer responded yes because they are not ground level and no permit. Don Sims suggested to forget it. Josh Meeder commented that he is in favor of action and suggested to adjust the ordinance to yard stake signs. Allen Bayer will move forward with the existing sign because of two violations.

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BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported on Trick or Treating.

In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously approved Trick or Treating to be on Saturday, October 30th from 6-8pm.

Council of Governments (COG):

Phyllis Metz had nothing new to report, the next meeting is October 25th at 7:00pm.

HARB:

Dave Szakelyhidi reported that there were four Certificates of Appropriateness that HARB approved and recommended to Council:

551 Main Street – Harmony Visitors' Center – Install new exterior door pull hardware (black wrought iron), install 2 solar panels on the rear roof, install new ½ round gutter on the front roof and paint to match roof color; and install new metal snow guards to match roof color.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 551 Main Street.

516 Main Street – Revise window color from “Brick Red” to “Adobe,” remove existing aluminum siding in gable, new wood lap siding and wood soffit (stained), and new front steps constructed from stone.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 516 Main Street.

Water Authority Board:

Frank Grannon reported that the Water Authority would like to remove the water fountain under the fire escape at the borough building and install a sample station. The Water Authority would cover the costs.

Parks Board:

Susie Altemus reported on the Silvester, the registration is open on the Run Sign Up.com. Sponsor letters will be sent out soon. Dave Szakelyhidi inquired if there will be a ball drop, Dilts sold his bucket truck, maybe shared services from Zelig and request their Public Works to operate it. Greg Such commented Harmony could give them free tickets to enter the race. Phyllis Metz suggested tickets to the pork and sauerkraut dinner. Frank Grannon will call Chad to see if we can use Zelig's bucket truck. Susie reported that the kiosk at the Walking Trail is falling apart. Trenches were dug to help funnel the water away from the trail so it does not erode the fresh limestone. Dave Szakelyhidi commented that he has some corrugated pipe and would donate it, it is 12 inches, Parks Board will wait and see if the trenches help. The “Pack it in – Pack it out” sign has been put up at the Canoe Launch and posted on Facebook. The Parks Board was invited to a meeting on Tuesday from 6-8 at Jackson Township to discuss connecting the trail.

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Library Board:

Frank Luek reported that the Eugene and the Nightcrawlers concert will be Sunday, October 10th at 5:00pm at the Ayers Amphitheater, tickets are \$4.00 at the Library by Saturday or \$5.00 at the gate.

Planning Commission:

Frank Luek had nothing new to report.

WBCA:

Dave Szakelyhidi reported on the meeting on September 15th at Lancaster Township, Lancaster has a beautiful building. Zelenople Council, Lancaster Supervisors, and a couple from Harmony attended, no Jackson Township Representative. Lancaster's interim manager did a very good job facilitating the meeting, Lancaster will document the meeting and email it out to the municipalities to digest the information and transmit it to the Sewer Authority to get a dialog going between the Sewer Authority and this group. Greg Such commented that John Trant did a great job. Phyllis Metz commented about WBCA wanting to sell the plant. Dave Szakelyhidi commented that Saxonburg sold their water authority, Harmony went through that years ago but shot it down. Greg Such commented that Evans City sold their water authority too. Dave Szakelyhidi commented that Zelig kept their plant but stopped producing water and buys theirs. Greg Such commented about the Pump Station Planning Module, needs to be acted on next month, we are obligated to supply an approval or it will be deemed passed or acceptable.

Shared Services:

Frank Grannon had nothing new to report.

Parking and Signage:

Greg Such had nothing new to report.

Historic Harmony:

Rodney Gasch reported that the Christmas Market will be November 13th & 14th, there will be no train display, or museum tours and fewer vendors indoors due to Covid. Rodney thanked Frank Luek for working on the Visitors' Cabin. A new floor is down, there are drop-down-stairs for the attic, the ceiling will be drywalled and solar panels will be installed. Historic Harmony applied for a grant from the PA Humanities, this grant is to reimagine existing museum displays in the main building and will use that to emphasize the fundraising to replace the windows and to add staff hours and hire consultants.

HBA:

Cathy Rape reported that the next meeting will be Wednesday at 6:30pm at the Wunderbar. The Sleepy Hollow Festival is this Saturday.

Other Meetings:

Harmony Fire District – Greg Such reported that the Fire District's quarterly meeting is Sunday, October 10th at 7:00pm. Allen Bayer commented that the meeting date changed, Amy will check email or contact Kevin (Behun). Greg Such commented that the Fire District requested a letter of commitment for their lender stating the current funding, increased funding amount equivalent to 3 mills, the total new funding amount, how the Borough will be funding the organization, tax or donation; and the duration of the

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Other Meetings:

Harmony Fire District Cont.:

commitment. Greg's take is the duration should be the duration of the loan, and fund it with tax.

In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved sending a letter of commitment for the Harmony Fire District.

Greg Such will write the letter. Mayor Rape inquired if Greg heard anything from Jerry Andre regarding the water shed meeting. Greg will reach out to Jerry.

PUBLIC COMMENT:

Josh Meeder – 253 Mercer Street – Josh Meeder inquired on where the Borough was with the flood study, and requested Council allocate funds to fix the drain starting in Swampoodle through Dambach's, Tod's and the pipe under the Center and have it done early before the spring thaw and flooding begins. His is the bottleneck and 6'-7' backing up floods the basement. Dave Szakelyhidi commented that some of that is ground water, the red building below the Center floods too and there isn't a pipe under it. Josh Meeder commented that a small part of it is but as soon as the culvert fills up in front of Two Fraus you can see it. It is a known issue with the pipe, the pipe is ruptured and is causing damage to his property.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Office:

Amy Brown reported that the new PCs are up and running.

Borough Director of Operations:

Frank Grannon reported that the lights are back ordered, housings need made. Dave Szakelyhidi suggested communicating that to Patricia at Robinsons; Greg will email Patricia. Frank Grannon reported that he did some exploratory on the drain pipe on Park Way, it is old tin whistle and it is completely gone. Not going to know how much needs replaced until he starts digging, hard to figure a price on it ahead of time. Don Sims inquired on the condition of the catch basins; Frank stated that the catch basin at the trailer court is private. Frank reported that he has a catch basin on Seneca in front of Susie Altemus's house, the sides are going in it and is causing flooding. Greg Such inquired if there is more flow there now because of the new development. Frank responded that he can't really answer that, he hadn't paid that much attention to it. Jackson just replaced the drain pipe going across Old Little Creek, Jackson will be widening the road and paving it. That catches $\frac{3}{4}$ of Old Little Creek, flows across to our side, goes under 79. The people on the other side of 79 were complaining when the Water Authority had a water break that every rain storm they are flooding and where it goes into the creek it is jammed up. Dave Szakelyhidi commented that this joint study we're doing they walked it and is part of the study. Greg Such commented that given that there is new development that increased the water flow should the Borough ask them to help off-set the price of putting the new drain in. Dave Szakelyhidi responded that it is a joint project, it goes from Jackson to Harmony and then back to Jackson. Frank Grannon commented that the last heavy rain we had, it is not making their retention pond, the catch basins in Harmony Place are full. Don Sims

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Borough Director of Operations Cont.:

commented that DEP requires after every rain event to go out and inspect the catch basins. Jackson Township has failed to inspect or have their contractor inspect them. Frank Grannon will call Jason at Jackson Township. Frank Grannon reported that he has two catch basins on Monroe Street that the top needs replaced and two catch basins on Mercer Street, one is a complete replacement by US Liner and the other is by Tod's and the Center. Don Sims inquired if they would be subcontracted out, Frank Grannon is to get prices. Leaf pick-up starts October 15th through November 19th, leaves can be bagged after November 19th until Christmas. Greg Such inquired on the cost of a joystick control for leaf pick up. Frank responded they're around \$150,000.

Cathy Rape inquired if the Borough got new flags, she had a complaint about the one in the Square. Frank Grannon replied one flag is back ordered and the smaller flag is here.

Frank Grannon inquired on what to do with some old equipment in the garage. The gasoline salt spreader can be sold, the zero turn can be sold for parts, truck bed and an air compressor.

In a motion made by Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved to put the four pieces of equipment listed above out for bid.

Jason Sarver inquired on the old bicycle sitting by the garage, Frank responded that it is scrap, Greg Such commented that it needs to go to Laura over at the campground as she recycles them.

Zoning and Codes:

Allen Bayer report submitted via email. Allen requested an executive session.

Engineer Report:

Engineer Tom Thompson reported that he has not done any more work on Tod's to see what could be done in that area. Tom talked to Dambach's and they had videoed and cleaned out their drain, there was very little debris in that line. There is a 24" line that runs under the corner of their building over to the road and then it goes down to an 18". Tom talked to them to see if they would be interested in upsizing the pipe. Dambach's did not negatively or positively respond, their concern was the bigger the pipe and the lesser the velocity and would debris settle in the pipe more often than if it was a smaller pipe. The concern of that discharging into an 18" pipe is that the bottleneck area that won't handle the flow, would something need to be done at that point to allow more flow through the pipe itself. Greg Such inquired if the 18" pipe was what goes under German Street. Tom Thompson responded that the 18" pipe is under German Street and the 24" pipe runs the whole way to the inlet on German Street.

Josh Meeder commented that the drainage pipe bottlenecks under his building and he needs to be involved. Joe Dippold suggested that Josh give Tom his phone number.

COMMITTEE and OTHER BUSINESS:

Public Safety:

Phyllis Metz reported that she spoke to Emilie in Zelig regarding the Swift Reach training, Emilie will get back to Phyllis. The Swift Reach announcement was set up for Sleepy Hollow. Phyllis also reported that she has not yet received the insurance form for the Christmas Market. Phyllis reported that she will do another webinar on the right-to-know and getting rid of records, it is on Skype.

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Business Development:

Mayor Cathy Rape had nothing new to report.

Personnel:

Jason Sarver had nothing new to report. Dave Szakelyhidi commented that the Borough has been dealing with COVID for almost two years and proposed giving any employee a 3% cost of living raise effective immediately that can provide a covid vaccine card and would like to open the borough office back up. Jason Sarver inquired if this will end the threat of forcing an employee to have it or lose their job if not vaccinated. Dave commented that he sees it as not forcing them to get a shot. Joe Dippold inquired if this was to immediately get a 3% raise and then look again at the end of the year. Solicitor Matt suggested discussing raises in executive session, not required to go into executive but if discussed during the meeting it will be in the minutes. Dave commented that typically the employees are given a 3% cost of living raise in January, he proposes to do it now. Frank Grannon commented that the raises are given by merit. Amy Brown commented that it is not always a 3% raise. Joe Dippold inquired if the raises were contingent on getting the vaccine. Dave Szakelyhidi commented that he is proposing to give the raise tonight. Don Sims inquired if an employee does not produce a card what happens. Dave Szakelyhidi responded they keep making what they make now. Don Sims inquired what happens January 1st. Dave Szakelyhidi responded don't give anymore raises out. Joe Dippold and Don Sims commented that raises are contingent on getting the vaccination. Jason Sarver commented that he was not in favor of holding back merit raises, but is ok with giving a reward as a thank you for getting the vaccination. Joe Dippold and Phyllis Metz agreed with Jason, they are not ok with not giving raises to someone who does not get the vaccine. Solicitor Matt commented that there is nothing legally wrong either, to give incentive or punish for not getting vaccinated. Vaccinated vs. non-vaccinated people are not in a protected class. Cathy Rape commented that she has a problem with paying somebody when they could do it and not be sick. If they have a serious problem with getting the vaccine what does the incentive make a difference anyways. Greg Such commented that they could file a medical exception and Cathy Rape added or a religious reason. Cathy suggested not give the incentive and take away paid sick leave if they have covid. Greg Such inquired if Council could remove the time off for Covid for the unvaccinated. Solicitor Matt responded that Council had to do that but now it can be changed and make an employee use their sick time because the Family First Corona Virus Act did not renew that. Don Sims commented that we are not here to beat people up, but here to help them. Jason Sarver commented that it is to encourage employees not punish them.

A motion was made by Dave Szakelyhidi and seconded by Jason Sarver to give a 3% raise to any employee who provides authentic proof of vaccination starting today moving forward until the end of the year, full and part-time employees.

Jason Sarver suggested adding that the remainder employees are merit based as normal. Dave Szakelyhidi commented finance wise he didn't know if they could give another 3% in January. Greg Such recommended to separate the two, go with what was said from now until the end of the year and in November or December revisit and decide where we go with regular merits. The 3% increase is a three-month program. Any employee who gets the shot will be given the 3% after the 2nd shot and retroes back to the date of the 1st shot after showing proof of vaccination card; any employee already vaccinated after showing proof of vaccination card will receive the 3% raise effective tonight.

Don Sim opposed the motion.

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Personnel Cont.:

Motion passed. Jason Sarver will check the vaccination cards and let Amy know who should receive the 3% raise.

Finance:

Joe Dippold had nothing new to report. Greg Such reported that we received the MMO's late after the last meeting and they were to be declared and signed by 9/30 which Greg did by email vote, it was listed on the September agenda but not announced. Greg Such announced the 2022 MMO amounts, \$62,213.00 (minus the State Aid) and \$8,016.00 for the new plan.

Streets:

Don Sims reported that the drainage was already discussed. Branch pick up is done and leaf pick-up starts October 15th through November 19th. Frank Grannon added getting the equipment ready for winter.

Frank Grannon reported the Mrs. Weyman from Bluff Street was in the office again regarding water not able to go down the street. Cathy Rape commented that it was not an issue until the rolled curb. Solicitor Matt stated that it is private property.

Facilities:

Dave Szakelyhidi had nothing new to report. Frank Grannon recommended budgeting the storage building garage door for next year. Don Sims inquired in-house or hire someone. Frank Grannon responded to bring someone in. Frank is to get prices. Don Sims reported on office security that he would like to have a glass store front installed. Jason Sarver commented that Zelig has it. Don Sims inquired if the ARPA grant money could be used for this project, it is for safety and security. Greg Such responded that we would have to go back and look at it. Don will get a price and a plan. Dave Szakelyhidi inquired if this is in preparation to open the office. Don Sims responded yes, the goal would be once that is in place if the girls in the office feel more secure then yes, if not it is a waste of our time and money. Greg Such responded that everybody is fine with that idea. Don Sims will arrange to have someone come look at it.

Grants:

Greg Such reported on the commitment letter from Mars Bank for the RACP Grant. Engineer Tom Thompson commented that RACP needs to officially review the loan document. Greg Such reported that he signed the commitment letter and it asks that our Solicitor do something for this note. Solicitor Matt inquired if LGUDA was required. Engineer Tom Thompson responded that it would because it is matching funds for the grant, half the money would come from the grant the other half would come from the source. Greg Such commented that the money is in our bank account. Tom Thompson commented that it is a bridge until the project is done and then the loan will disappear. Greg Such responded that is the plan. Solicitor Matt reported that it states the Borough Solicitor will prepare loan documentation, we need to talk to the bank for clarity of what needs to be done. Engineer Tom Thompson reported when he talked to RACP about the loan offer we are going to prepare the forms for the paperwork and draft that the borough would sign for their review which defines all of the cost data, that will be going in within the next month. Greg Such inquired if the estimates needed to be updated, Tom Thompson responded at this point they do not.

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Training & Conferences & Correspondence:

Listed on the Correspondence List. Greg Such inquired if Council wanted every email from PSAB, PSAT, etc. advertising webinars and training to be listed on the Correspondence List. Don Sims responded that he is only interested in continuing education hours.

Frank Grannon reported that Mrs. Weyman from Bluff Street stopped into the borough office regarding water running under her sidewalk, she replaced the drain and nothing was accomplished on it. Frank Grannon commented that it is below grade at the sidewalk. Frank had looked at it and told her the only fixable way is to put an elbow on it and run it down to daylight until it ran into service, but they did not do that. Cathy Rape commented that Mrs. Weyman said it wasn't an issue until the rolled curb was put in when the street was paved. Frank Grannon commented that the street hasn't been paved since he's been here. Solicitor Matt commented that it is a private property issue and the Borough cannot legally get involved with it.

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 \$ **71,836.54** (After HBWA \$53,085.26)

Fire Tax Fund Bills Payable in the amount of \$ **46.89**

Parks Board Fund Bills Payable in the amount of \$ **78.00**

Payroll in the amount of \$ **6,780.48**

General Bills Already Paid in the amount of \$ **12,686.13** (After HBWA \$ 12,399.17)

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

Greg Such called for an executive session at 9:02 pm, out of executive session at 9:26 pm.

Adjourned: 9:26 pm

As there was no further business to discuss, the Harmony Borough Council adjourned the October 5, 2021 In-person and Zoom virtual meeting at 9:26 pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

September 2021

1. Stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. Attended meeting with Robinson Industries.
4. Attended September Council meeting.
5. Spoke with Christina, Omega Electric, regarding inspection requirements to replace a 100 amp panel in the borough.
6. Spoke with Thomas McDonald, Charles St., regarding building permit requirement for constructing an awning over a side patio.
7. Inspected vegetation violation at 401 Center St. Tree has been trimmed allowing street sign to be seen.
8. Spoke with Steve Karnick, Omicelo Construction Co., regarding building permit requirement to change out a bath tub for a walk-in shower on Mercer St.
9. Spoke with David Geis on Jackson St. about permitting requirement for tree removal.
10. Spoke with Thomas McDonald, Charles St., regarding building permit requirement for constructing an aluminum carport not attached to the house.
11. Spoke with Joy, 433 Liberty St., regarding building permit requirements for constructing a garage in the back yard.
12. Inspection and follow up on Trump sign concern located at 274 Mercer Street.
13. Created violation notice for Trump sign in front yard at 274 Mercer St.
14. Created Building Permit for Laundry/Mud room addition at 769 Spring St.

15. Created building permit for solar panels on rear roof at 551 Main St.
16. Responded to Dave Geis regarding building permit requirements for a storage shed.
17. Spoke with a lady on Jackson St. down by the canoe launch regarding stray cats causing her much stress.
18. Received two building permits from Bob McCafferty but each having insufficient information to process. Stopped by the inn and did see considerable work being done at the parking lot and no one was there. Left a message for Bob to call me.
19. Met with Tom Nacey, VP of Operations, US Liner. We reviewed their current position with the violation notice. I will review this meeting with Council at Tuesday's Council meeting.
20. I spoke with Bob McCafferty at the Harmony Inn about building permits for the work being done in the rear parking lot and a new sign out front. We also discussed the need for HARB approval for the sign.
21. I spoke with Bonnie Nolan about installing new gutters at her house at German and Wood Sts. and the need for HARB approval.
22. I spoke with a man living in the house at the corner of German and Liberty Sts. owned by Bob Rice. He said the roof has been leaking for some time into the kitchen and Bob will not respond to repair it. He wanted to know if HARB could force Bob to make the repair. I told him the borough has adopted the IPMC which allows me to send a violation notice to Bob to have this repaired. He said he will try again to contact Bob for the repair and get back to me by Monday if he does hear from Bob.

Respectfully submitted,

Allen E. Bayer