

November 9, 2021

# HARMONY BOROUGH COUNCIL MEETING November 9, 2021

## **COUNCIL MEMBERS PRESENT:**

Greg Such - virtually

Frank Luek

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver - virtually

Mayor Cathy Rape

## **OTHERS PRESENT:**

Allen Bayer

Chief Miller

Emily Budney – CVE PTO

Joe O'Reilley

Joe Taylor - Armstrong

November 9, 2021

**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 Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the October 5, 2021 Council meeting minutes.

**SOLICITOR'S REPORT:**

Solicitor Matt Racunas was unable to attend, no report given by Solicitor Dennis Very.

**VISITORS:**

Joe Taylor – Armstrong – Joe reported that Armstrong was not aware of the Borough's ordinance until a Stop Work Order was received while replacing lines with fiber optic in the Borough. Joe Taylor requested a map of the Historic District. Zoning Officer Allen Bayer gave a map to Joe Taylor. The fiber optic lines were already placed in the Square but need spliced in and would like to have that done by Thanksgiving. Dave Szakelyhidi commented that the Borough hopes to have all utilities underground next summer with the project in the Square. Joe Taylor stated Armstong is willing to work with the Borough and would like to see the plans for the Square. Joe also commented that the challenge becomes getting all utilities coordinated to get off the poles. Butler Coordinating Committee could help with that. Amy (Brown) will give Joe Taylor the Borough Engineer's contact information for Tom Thompson and Joe (Taylor) to discuss the Square Project. Dave Szakelyhidi commented that they could follow Verizon's line and go around the Historic District.

Emily Budney – CVE PTO Playground Chair – Emily reported on a right-of-way that grants access of a road that serviced the old water tower and a water line, that gravel road cuts the playground in half. They are asking not to change any language as it pertains to the waterline. Their playground is on part of the right-of-way, they are looking to redesign their playground and would like to replant grass where the road is and put a gaga pit where the road is. Emily stated the original agreement is between the Borough and the School District that is why they need to have the Borough's approval. Dave Szakelyhidi commented that he doesn't think there is a conflict but the language needs to be cleaned up with the name of the school district and the Water Authority. Emily commented that the language does not need to be changed at this point, it can stay as the Borough and the School District. Greg Such commented that this was discussed at last month's council meeting, Council did not know what the PTO was putting overtop of the waterline, the concern being if the waterline would need to be dug up there couldn't be any permanent structures. Council had asked Frank Grannon to get that information but Frank is on vacation and Council does not have that information; the paperwork is not that much of a challenge at this point. Emily Budney stated that she did speak to Frank and their solicitor. The PTO does not want to make any changes as far as that waterline, the changes they hope to make to the playground would provide more access and make it easier in the event the Brough/Water would need to go in to do something. What they are hoping to do is to provide a larger set back for that waterline and reclaim the surface only of that access road but not put a permanent structure on that part. Don Sims suggested that Frank sit down with the Water Engineer and Attorney for this to move forward.

**BOARD REPORTS/APPOINTMENTS:**

**Appointments:**

Greg Such reported that his term ends in December as the WBCA Representative and needs to be re-appointed if Council wishes for him to be the representative.

In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council reappointed Greg Such as the WBCA Representative for a 5-year term.

**Council of Governments (COG):**

Phyllis Metz was not able to attend the meeting, Don Sims read over Phyllis's report. There was a COG meeting on October 25<sup>th</sup>, discussed Federal money disbursement and how it can be spent, and flood mitigation problems. What is going to happen in the next 10 years and advised allocating what to use it for now instead of waiting to see what happens. The MES and Fire challenges, lack of money and decreased volunteers. Making sure departments have enough tools to work, discussed a county wide collaboration of EMS and Fire Departments. The meetings will be quarterly and the next one is in January.

The Silvester Event Form has been submitted and needs approval.

In a motion made by Joe Dippold and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Silvester Event.

**HARB:**

Dave Szakelyhidi reported that there were two Certificates of Appropriateness that HARB approved and recommended to Council.

**Harmony Laden Building** – Paint bottom 5 ft. of existing storefront, color to match existing peacock green.

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

**Bonnie Nolan – 638 Wood Street** - Replace one section of gutter and fascia board in kind.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 638 Wood Street.

**Water Authority Board:**

Dave Szakelyhidi had nothing new to report.

**Parks Board:**

Greg Such had nothing new to report.

**Library Board:**

Frank Luek reported that the Library is open for business.

**Planning Commission:**

Frank Luek had nothing new to report.

**WBCA:**

Greg Such reported that Council needs to vote to approve the Pump Station Planning Module, if the Borough does not respond it is automatically approved. The Pump Module documents were sent out three or four months ago, the Planning Commission has approved them. The Pump Station is basically what was in the 537 Plan that has been pulled out and separated.

In a motion made by Greg Such and seconded by Don Sims, the Harmony Borough Council unanimously approved the Pump Station Planning Module for WBCA.

The next meeting will be Thursday, November 11<sup>th</sup>.

**Shared Services:**

Dave Szakelyhidi reported that Harmony needs a bucket truck to drop the ball for the Silvester, Zelie has agreed to do that under shared services and they will need to pay a driver.

In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council unanimously approved paying the labor for Zelie's bucket truck driver.

The only comment Zelie's Supervisor had was that if an emergency occurred Zelie would need the truck. Jason Sarver commented that he gave Frank Grannon some recommendations for the ball drop. Emily Budny suggested Armstrong, they have multiple trucks and they have their logo on them, it would advertisement as the Silvester is a big community event. Greg Such commented that he will have Susie (Altemus) contact Armstrong but Zelie is our current plan unless we hear something different.

**Parking and Signage:**

Mayor Cathy Rape reported that she stopped a truck on Spring and First Streets, the driver was not doing business in Harmony, he was trying to find his way back. Numerous times trucks have run the stop sign over on First Street. The NO TRUCKS sign is faded out, Cathy would like a No Trucks Sign on Spring Street.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved a No Trucks Sign and a Fine Sign to be placed on Spring Street.

**Historic Harmony:**

Frank Luek reported the Christmas Market is Saturday, November 13<sup>th</sup> from 11:00am – 6:00pm and Sunday, November 14<sup>th</sup> from 11:00am – 4:00pm, the cost of admission is \$7.00

**HBA:**

Sherry Cepek was unable to attend, no report.

**Other Meetings:**

Coalition Against Bigger Trucks - Greg Such reported that there was an email request for a Zoom meeting, Greg feels that it something the Borough would be interested in with the trouble with trucks in the Square. Mayor Cathy Rape will set up a Zoom meeting, Greg will sit in if available.

**Other Meetings Cont.:**

Mayor Rape inquired on the Firemen's meeting and the EMA Director. Greg Such responded that the EMA Representative was not invited to the Fire Department meeting, the President forgot to give the invitation. Greg mentioned that the Borough was not pleased with our EMA leadership and there were some things that had happened for the County Plan and they were not aware that we had our own EMA Association or who the leadership was and that we should think about a new leader. Cathy Rape inquired why the EMA leadership is lacking, Frank Luek replied that there is a lot of paperwork, it is like a full-time job and they are looking to have a paid administrator in the future. Greg Such commented that the focus is on the new building project, not the EMA work at this time. Chief Miller commented that the EMA is a separate entity from the Fire Department.

**PUBLIC COMMENT:**

Joe O'Reilley – 69 Haskell Drive, Bratenahl, Ohio. Joe reported that he owns the property at 274 Mercer Street and received a violation notice from Mr. Bayer and one from the lawyer for a Trump sign that was put up; the sign is down now. Joe inquired if he is in violation now. Code Enforcement Officer Allen Bayer responded that the Trump sign was in violation, Joe applied for a building permit and the building permit has been issued so the Trump sign is no longer in violation. A metal sign has been put up without a building permit and that is in violation, Allen will be following up with the Solicitor. Joe O'Reilley inquired if he put a sign in the window if that required a permit, Allen Bayer responded no if it is on the interior of the window. Joe O'Reilley inquired if he put a Trump sign up is that both sides of the sign or is it \$25 per side for the sign. Allen Bayer responded that if it is one board with Trump on both sides, it is one sign and if it is two boards then it is two signs. Joe O'Reilley inquired about the political signs, Allen responded that they are a whole different issue, any political sign is good for three days after election.

**BOROUGH STAFF REPORTS:**

**Police Report:**

Report submitted via email.

Chief Miller reported that they are trying to get the truck that took out the bollard. Chief did not get the information until 5 days after. Frank Luek commented that it took Grace Church awhile to find it. Cathy Rape commented that the truck damaged the metal star and the street.

Chief Miller commented that Zelig is getting new cameras, he will get a price to put a camera in the Square, it should only be a monthly fee.

**Office:**

Don Sims reported that the safety partition has been installed in the office.

In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved opening the borough office up starting tomorrow, November 10<sup>th</sup>.

Dave Szakelyhidi reported that last month's Council meeting Council approved a 3% raise for any employee who showed a vaccination card. Dave would like to include all employees, including Allen (the part-time Zoning Officer) and Council Members, this is to encourage all Council to get the shot.

**Office Cont.:**

A motion was made by Dave Szakelyhidi and seconded by Greg Such to include all full-time, part-time employees and Council Members in the 3% raise who show an authentic vaccination card.

Don Sims opposed. Roll call vote: Frank Luek – yes, Dave Szakelyhidi – yes, Joe Dippold – yes, Greg Such – yes, Jason Sarver – no and Don Sims – no.

Motion passed.

Greg Such reported that the Auditor's report list we need cyber assessment training for the office; with the new pcs we should have someone check to make sure what we have is secure. WBCA has used an organization for training, Greg recommends doing this before the next audit in February or March and he will get prices.

**Borough Director of Operations:**

Frank Grannon was unable to attend the meeting, Don Sims reported that the quote from Thomas Giel to furnish, install and demolish the storage building garage door, the price is \$3,464

In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the \$3,464 for the purchase and installation of the storage building garage door.

Don Sims also reported that 22 feet of line was replaced on Spring Street, leaf pick up will continue until November 19<sup>th</sup>, the hot water tank failed and flooded the office in the garage. The catch basin on Mercer Street and Utah Street the price for the box, grate and frame is \$860, it does not include the stone or paving repair or the on-call excavator's time. The drain pipe on Peffer Street will need to be excavated to see the best fix procedure.

In a motion made Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the \$860 for the box, grate and frame.

Greg Such commented that there is \$5000 in the budget for the catch basins, if Frank could do more than one that would be good.

**Zoning and Codes:**

Allen Bayer report submitted via email.

**Engineer Report:**

Tom Thompson was unable to attend the meeting.

**COMMITTEE and OTHER BUSINESS:**

**Public Safety:**

Don Sims reported that the Silvester Event Form has been submitted (the Event was approved under the COG section). Everything is done for the Christmas Market; Phyllis will deal with the equipment for the road closures and will be around early Saturday to coordinate the Police and what the Christmas Market wants.

**Business Development:**

Mayor Cathy Rape reported that the Butler County Tourism meeting is on November 18<sup>th</sup> from 9:00-10:00am.

**Personnel:**

Greg Such reported that the Personnel Committee is recommending that the Borough renew the existing Health Insurance Plan. That plan includes an RCP payment method that the Borough put in place with a company called Isolved; the healthcare cost is up 6% from last year.

In amotion made by Greg Such and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the renewal of the exiting health plan with the Isolved reimbursements.

**Finance:**

Dave Szakelyhidi inquired if the 3 mils for the firemen was in the 2022 budget. Greg Such responded that the additional 1.5 mil is in the budget, we also gave the Fire District a letter stating our commitment in doing that at the Firemen's meeting. That letter stated that we agree to the 1.5 mil increase assuming every other community agrees to a 1.5 mil increase as well and commits to continuing to match the value of the real estate in their township/borough. Don Sims inquired when the deadline was to have in on the tax card that we get in the spring. Greg Such commented that he does not know but we need to let Ann John know. Greg will check, the tax cards may be already printed. Cathy Rape inquired on the milage increase. Don Sims commented that the increase is for the duration of the loan, 25-30 years. Don Sims reported that a copy of the preliminary budget is in Councils' packet. Greg Such reported that we need to vote to advertise it, it can be tweaked a little. Greg would like Amy (Brown) and Frank (Grannon) to review it as they did last year and moved some things around, to make it a little more accurate.

In a motion made by Greg Such and seconded by Don Sims, the Harmony Borough Council unanimously approved to advertise the preliminary 2022 budget for review.

**Streets:**

Don Sims reported that we are winding down with leaf season and getting reading for salt and plow. Dave Szakelyhidi reported that somebody put a yellow circle around a pothole on Main Street beyond Grace Church, he hopes we do not need to rely on residents to circle potholes. Amy will let Frank know.

**Facilities:**

Dave Szakelyhidi had nothing new to report.

**Grants:**

Joe Dippold reported that the RACP Grant loan is in the lawyers' hands. Greg Such commented that the bank's lawyer is making contract for us and Matt (Racunas) is checking to see if LGUDA approval was required or not.

**Training & Conferences & Correspondence:**

Listed on the 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 \$ **18,660.17**

**Fire Tax Fund Bills Payable** in the amount of \$ **11.09**

**Silvester Fund Bills Payable** in the amount of \$ **1,218.88**

**Payroll** in the amount of \$ **9,705.78**

**General Bills Already Paid** in the amount of \$ **3,482.36** (After HBWA \$ 3,069.45)

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

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

**Adjourned: 8:27pm**

As there was no further business to discuss, the Harmony Borough Council adjourned the November 9, 2021 In-person and Zoom virtual meeting at 8:27pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

**October 2021**

1. Stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. Prepared September Time and Activity Reports.
4. Prepared for discussion with Council of political sign and US Liner meeting.
5. Attended October Council meeting.
6. Created warning violation notice for sign at 274 Mercer St.
7. Left a message for Drew Orient to remove the roll-off dumpster from in front of his house on Main St.
8. I spoke with Carrie Zimmer regarding if the borough requires financial disclosures of candidates prior to posting election signs.
9. I spoke with Drew Orient, 516 Main St., regarding dumpster in front of his house. It will be removed by the end of October.
10. I spoke to Mayor Rape regarding foundation construction without a building permit. Tom McCosby has now taken care of this issue.
11. I spoke with Rita regarding building permit requirement for a shed in her backyard.
12. I spoke with Joe O'Reilly, 274 Mercer St., regarding the need for a sign building permit.
13. I created a warning violation notice to US Liner for rubbish along Water St. side of the factory.
14. I created a violation notice at 747 Spring St. for installing a side and rear fence without a building permit.
15. I inspected a sign at 747 Spring St. which has now been removed.

16. I called Joe O'Reilly about his sign permit at 274 Mercer St. Joe went ballistic, as usual, about the ordinance, Council, me for enforcing the ordinance, cussing and finally said that he will attend the next Council meeting to vent to Council.
17. I created a Stop Work Order notice for Armstrong hanging line in the Historic District.
18. I inspected and created a sign violation at 274 Mercer St.
19. I inspected a fence at 747 Spring St. I created a violation notice at 747 Spring St. for a fence installed with a building permit.
20. I created a building permit for a rear and side fence at 747 Spring St.
21. I prepared October Activity and Time Reports.

Respectfully submitted,

Allen E. Bayer