

May 3, 2022

HARMONY BOROUGH COUNCIL MEETING May 3, 2022

COUNCIL MEMBERS PRESENT:

Greg Such

Phyllis Metz

Frank Luek

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver - virtually

Mayor Cathy Rape

OTHERS PRESENT:

Sean Adomaitis

Susie Altemus

Rodney Gasch - virtually

Frank Grannon

Nick Hewlett

Sam Hopkins - virtually

Matt Racunas, Solicitor – virtually

Gary Rodgers

Jan Rodgers

Mark Sapienza

Tom Thompson

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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 Frank Luek, the Harmony Borough Council unanimously approved the April 5, 2022 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that the LGUDA Debt Ordinance has been adopted and has been pre and post advertised. Amy and Greg are working with the Auditors on the Debt Statement and the Borrowing Base Certificate and they will be submitted this week to DCED, it takes about 3 weeks to give an approval. The Hulings RTK appeal has been settled without going to trail. Matt had a conciliation with the Judge, Mr. Hulings and Mr. Hulings Attorney. Mr. Hulings requested Matt prepare a letter to Council outlining the procedural history of the case. Jim and his attorney requested that they review the letter for any tweaks prior to Council receiving the letter.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported that a motion is needed to amend the agenda to include the appointment of Tom McCosby as building inspector.

In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved amending the agenda to add the appointment of Tom McCosby as the Building Inspector.

Greg Such reported that T.W. McCosby's pricing is the same as 2021.

In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously approved appointing Tom McCosby as the building inspector for Harmony.

Greg Such reported that the Water Authority would like to appoint Steve Padgelek to the Water Authority Board.

In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the appointment of Steve Padgelek to the Water Board.

Council of Governments (COG):

Phyllis Metz reported that the April 25th meeting only had 3 people in attendance, nothing to report.

HARB:

Dave Szakelyhidi reported that there are two Certificates of Appropriateness that HARB approved and recommends to Council.

245 Mercer Street Weaver Cabin – Paint existing windows/mullions custom blue grey to match existing; new wood front door primitive to match existing, and new wrought iron handle installed on the wall to the left of the door.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 245 Mercer Street.

614 Wood Street – Jodi Correll – Paint existing porch custom blue and yellow to match existing.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 614 Wood Street.

Water Authority Board:

Dave Szakelyhidi reported that an executive session is needed to discuss personnel.

Parks Board:

Susie Altemus reported that the Summer Concerts are coming up and thanked Matt (Racunas Law Group) for the donation. Susie reported that the \$4,200 she had requested for the fireworks came back as \$4,000. Susie inquired if a port-o-john could be placed in the parking lot next to the dumpster from 6/30 through 8/12 for the summer concerts, Council is okay with it. Susie reported that there are two trees at Wood Street Park by the fire hydrant that are leaning into the street; she got two bids and RB Tree Service came in lowest at \$1600. Don Sims inquired if that is for the entire tree to be removed, cut up and hauled away. Susie responded yes. Don Sims inquired if that was something we could do on our own. Frank Grannon commented that he would need to look at it. Don Sims recommended tabling it for a week or so to let Frank Grannon look at it, and inquired how long RB Tree Service's price was good for. Greg Such commented that he's pretty flexible. Don Sims commented that if Frank Grannon cannot remove the tree Don will send out an email and put it on next month's agenda. Susie also reported that volunteers from Glade Run came and cleaned up Wood Street Park, the sticks picked up are piled up at the corner for limb pick up. Susie stated that it was good community service and she appreciated them. Frank Grannon suggested stacking in a different location away from the hydrant. Susie also reported that the Canoe Launch needs cleaned out.

Library Board:

Frank Luek reported that the Comedy Night was well attended. The evening with Author James Patterson is sold out, there were 500 tickets sold. The Library will be starting their capital campaign for the addition, and funds the Borough could donate would be appreciated.

Planning Commission:

Greg Such reported that the Planning Commission needs to review and sign off on the revised Act 537 Plan for WBCA. Amy has a hard copy in the Borough office.

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WBCA:

Greg Such reported that there is a revised report for the Act 537, Amy has a hard copy in the office. Greg also reported that the Pump Station has been approved by all four municipalities.

Shared Services:

Frank Grannon reported that limb pick-up will be May 5th through September 1st, the first Thursday of the month. Limbs are to be 3" in diameter or smaller.

Parking and Signage:

Greg Such had nothing new to report.

Historic Harmony:

Rodney Gasch reported that Saturday (May 7th) is Butler County History Day, this event is designed to encourage visits to history sites between 10am-3pm. The Museum will demonstrate a bake-oven in the Wagner Haus backyard and a tour of the Museum Wine Cellar. Washington's Trail 1753 is also sponsoring history author Jason Cherry, in Stewart Hall to discuss and sign his books on George Washington and the French and Indian War.

The House and Garden Tour will be June 11th, reservations are required. Tickets are \$25 for the tour, \$30 for the tour plus a box lunch.

Rodney also reported that Historic Harmony filed a complaint with Jackson Township regarding encroachment of the Creekside Manor access road, their fill is flowing down on the Museum's line fence and their property.

HBA:

Cathy Rape reported the Artisan Saturdays will be back for the month of June, they will have Christmas in July, volunteers are needed to help plan and set up different events, go to their Face Book page to volunteer. The next HBA meeting will be June 2nd at the Wunderbar at 6:30pm.

Other Meetings:

Stormwater Management Meeting – Cath Rape reported that the next Stormwater Management meeting Monday, May 9th at 1:15pm.

Large Truck Coalition Meeting – Greg Such reported that there was a meeting at Senator Vogel's, Cath Rape was unable to attend but she sent an email to the Senators in support of not allowing larger trucks on the highways.

County Commissioners' Meeting – Greg Such reported that there was a Commissioners meeting last week, he emailed some notes to Council and Sherry Sholes sent a video recording of the meeting. Greg commented there was an interesting thing from Butler County Housing talking about blight and steps you can take to help control blight

PUBLIC COMMENT:

Mark Sapienza – 226 Mercer Street – Mark reported on the parking problem on Wood Street, Mark is being inconvenienced, other businesses encroaching on his property and he's tired of it. Mark passed pictures out to Council to review of a vehicle backed up against the No Parking sign, the turn-around blocked, a car on the sidewalk, a motorcycle on his sidewalk, bend signage. Mark stated there are signage

PUBLIC COMMENT CONT.:

problems in town, it looks like the Borough doesn't enforce ordinances because you can't read the signs from being bend over or knocked down. Mark had a picture of property that he questioned if the Borough could put parking on. Cathy Rape inquired if Chief Miller came to see Mark, she had contacted him to talk to Mark and look at his pictures. Don Sims inquired where the potential parking was located. Mark responded Wood Street. Mark stated that the Borough won't enforce ordinances. Mark commented that he's not calling the Police every time, it takes 15 minutes for them to come. He cannot get in and out of his property and Council is to protect the property owners by providing fire and police, somebody needs to tell the Police when to come when it is busy and write tickets. Mark stated that it is Greg's job to delegate his authority and have a meeting with Chief Miller and take him around so that he can get the problem settled. Solicitor Matt inquired if there is a certain time or day that is more problematic. Mark responded Wednesday nights and Sundays. Solicitor Matt suggested tell Chief Miller to go on those times when it's a problem to see what is going on. Cath Rape commented that she called to ask Chief to look at Mark's pictures and he said that he would call the property owner next to Mark's. Don Sims commented that the Borough will get the signs fixed. Dave Szakelyhidi commented that if a few tickets are given out that the word would get around, the same goes for all the trucks coming through that are not on the Truck Route, they need fined as well. Frank Luek commented that the signage for parking is pretty good. Don Sims commented that the first words Chief Miller is going to say are...do you have the ordinance and signs? Painted curbs mean nothing. If we have a sign up, we need to have the ordinance to back it or they cannot write a ticket. Jason Sarver commented that painted curbs are important to the average driver, they don't know ordinances but if they see a painted curb, they know you cannot park there. Jason commented that the Borough should focus a little more on making sure our curbs are painted. Dave Szakelyhidi commented that previously the Borough was advised that a yellow curb can't be enforced or held up in court. Jason Sarver commented that a yellow curb absolutely signifies no parking. Sergeant Adomaitis commented that the yellow curbs are a courtesy. Greg Such suggested paint the curbs around the Inn. Don Sims suggested a consult with Chief Miller.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Mayor Cath Rape inquired on fraud case reported. Sergeant Adomaitis responded that the majority of cases are unemployment or identity fraud.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported that he needs a new leaf blower, he looked at pricing at T&M a Stihl is \$259.99

In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the purchase of a Stihl Leaf Blower in the amount of \$259.99

Borough Director of Operations Cont.:

Frank reported that most of the potholes are filled, we need to ratify the vote for the second load of hot mix.

In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved \$2500 increase for the additional hot mix.

Frank reported that the new garage door on the storage building works well and looks good. The Fire Fighter Sales & Service were in and inspected all the fire extinguishers. The new Truck signs and fine signs are up at Spring Street. The new rope has been put on the flag by the Borough building, Tim Sapienza brought the ladder truck over to assist. Four lights have been put up on Robinson hill on Rt. 68, four more lights have been ordered. The street sweeping will be May 11th, will need to shut parking down in the Square the morning of May 11th to get the street swept between 7:00am-8:00am. Greg Such suggested putting out signs overnight. Frank Luek will put the signs out on May 10th at night. Frank Grannon reported there are some sinkholes starting in the Parks; one in the schoolhouse playground from a stump rotting away, and about a 2ft one at Swampoodle Park, they need to be filled in with top soil. Frank will get a price and send it to Council via email. Cath Rape commented that she would like curbs painted and lines painted (crosswalk and stop sign lines) the first week in June, unless there is an emergency. The lines need to be done early; the school zone can wait until August. Don Sims commented that Cathy has volunteered to help before, take advantage of the assistance. Frank Grannon replied that he will need to because they are short on staff. Don Sims inquired if the Borough had a hard hat and vest for the assistant. Greg Such responded that we have some vests upstairs.

Zoning and Codes:

Allen Bayer report submitted via email.

Engineer Report:

Tom Thompson reported they are still trying to find a way around the building by the Wunderbar. Greg Such suggested Sam (Hopkins) and Tom (Thompson) look at the site and Tom talk to Sam about underground boring. Sam Hopkins commented that he doesn't think Tom knows his future plans for that area, or familiar with his building. Sam also has concerns of boring 2-1/2 ft next to his building. Greg Such commented that it would be a good idea for them to meet and talk through it and if Sam would like someone from Council, or Frank (Grannon) there to let the Borough know. Dave Szakelyhidi inquired if we are still working on the Square project. Tom Thompson commented that we are but the pricing has not been good lately.

Public Safety:

Phyllis Metz reported that she received an email asking if the Wine Walk on June 4th could have food trucks in the Square and if would have to have their own insurance. Phyllis emailed them back and said the Square would be closed anyway for the Wine Walk and she thought having food trucks would be ok but wasn't sure about the insurance. Solicitor Matt commented that he assumes they would carry their own insurance. Gary Rodgers objected to having food trucks in the Square because of the Bakery; upon further discussion, Gary Rodgers stated that he does not have any

Public Safety Cont.:

objections to the food trucks as the event is from 5:00pm – 9:00pm when the Bakery is closed.

Phyllis Metz reported that Susan Webb requested a Swift Reach announcement be sent out for the House and Garden Tour as people will be walking around. Phyllis inquired if she needed to fill out an Event Form for that. Greg Such responded that he didn't think an Event Form was needed. Phyllis will let Emilie know to put out a Swift Reach announcement about the House and Garden Tour and people walking around.

Greg Such reported that CVE Walk/Run on Saturday has now requested to close Pittsburgh Street, East New Castle Street, Division Street and East Beaver Street for one hour due to more participants. Chief Miller is okay with it. The Event Form was already approved, Phyllis will add the street closure to the Event Form.

Phyllis Metz reported that she received an Event Form for the Division Street Block Party on July 31st from 2:00pm until dusk. Zelenople will need to approve this too.

In a motion made by Phyllis Metz and seconded by Don Sims, the Harmony Borough Council unanimously approved the Division Street Block Party on July 31st contingent on Zelenople's approval.

Greg Such suggested contacting Emily Budny to see if CVE needs signage for street closure for their event. Amy is to email Emily.

Business Development:

Cathy Rape reported on Memorial Day, May 30th at 9:30am the Legion will hold their ceremony in the Square, Cath is to talk to Chief Miller for Police support.

Personnel:

Jason Sarver reported that they will hold a Committee meeting soon. Greg Such reported that Frank Grannon will move from Director of Operations to Manager of Harmony Street Department, the Borough will cover the portion of Frank's wages that the Water Authority had previously covered.

Finance:

Greg Such that the ARPA Report has been filled out, Greg thanked Tom Thompson for his help in getting it finalized. Joe Dippold reported that he is having coffee with Bob Adams from Mars Bank tomorrow to give an update on our progress.

Streets:

Don Sims reported that the Penn Dot Rep came in, would like to put out a bid to pave Main Street from Rt. 68 to the bridge and alternates on Harmony Way; Don would like to get an estimate to add a section of German Street from Liberty to Monroe.

In a motion made by Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved to advertise to mill and pave Main Street from Rt. 68 to the bridge, Harmony Way as an alternate, and the section of German Street from Liberty to Monroe.

Don Sims commented that he would like three separate bids, if he doesn't like a price then he doesn't have to throw out all of the bids. Cath Rape commented that the only ones who use that portion of German Street is Robinson. Don Sims responded it is also parking for events. Dave Szakelyhidi commented that this will

Streets Cont.:

address Robinson's last year's concern and in exchange Dave has a concern about the broken concrete up along Rt. 68. The Borough has already put four lights up there and he would like Robinson's to participate in this beautification project. Greg Such commented that he asked the Garden Gnomes to give a drawing and then the Borough could talk to Patricia (Robinson's) about it. Nick Hewlett commented that the Water Authority will be taking a hydrant out of service in that area and didn't want anyone to be concerned. Dave Szakeyhidi reported that the hydrant has no flow. Frank Grannon commented that the hydrant is by the parking lot on Monroe Street. Greg Such inquired if the Fire District would have a concern taking it out of service. Frank Grannon already spoke to Tim Sapienza.

Phyllis Metz reported the hole at Spring and First Street is getting worse and is full of water. Phyllis commented that she thinks the water is coming from the people's basement, they are pumping it out with a hose but Allen (Code Enforcement Officer) said he has not seen water coming out of a hose into the street. Greg Such commented that after it rains give Allen a call and show him where the issue is. Dave Szakleyhidi commented that the street should be raised and sidewalk needs to be raised also. Dave suggested that Tom Thompson and Frank Grannon look at it and come up with a plan and come back to Council with it. Cath Rape commented that the people who do not know it is there and think they are hitting a puddle could lose their tire. Frank Luek suggested putting limestone in it to fill the hole. Greg Such inquired if there was going to be anymore patching. Frank Grannon responded that he could use two more boxes. Don Sims commented wait until June when it isn't constantly raining.

In a motion made by Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved \$2500 for hot mix for asphalt patching.

Facilities:

Phyllis Metz reported that she talked to Drew Orient about e-cycling and she emailed someone from Shred-it, Phyllis is waiting to hear back.

Grants:

Greg Such had nothing new to report.

Training & Conferences & Correspondence:

Listed on the Correspondence List.

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 \$ **35,676.55** (\$35,429.19 after HBWA)

Payroll in the amount of \$ **7,051.27**

General Bills Already Paid in the amount of \$ **7,403.56** (\$6,048.48 after HBWA)

Fire Tax Bills Payable in the amount of \$ **7,887.73**

Parks Board Bills Already Paid in the amount of \$ **490.25**

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

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Mark Sapienza questioned why the bill was not paid from trucking company for the street light. Amy Brown responded that the trucking company was invoiced twice but we have not received payment yet. Greg Such will make a call and see why it has not been paid.

Greg Such called for an executive session at 8:15pm to discuss personnel. Out of executive session at 8:32pm.

In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved to extend the offer of employment to Sean Carroll.

Adjourned: 8:33pm

As there was no further business to discuss, the Harmony Borough Council adjourned the May 3, 2022 In-person and Zoom virtual meeting at 8:33pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

April 2022

1. Stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. Attended April Council meeting.
4. Worked on identifying violations per Right-to-Know request by Mike Stockett.
5. Began to review sign building permits for Sam's ice cream shop.
6. I spoke with a resident on Monroe St. regarding constructing a second floor on his house. I referred him to Tom McCosby for construction details.
7. Attended April HARB meeting.
8. Completed preparing response for Mike Stockett's RTK request.
9. Worked on building permits for five signs for Sam's Ice Cream shop. I spoke with Ray Raccone and Kristine Kerpusta at Sign Innovation about a height concern pertaining to the primary permanent sign.
10. Approved Sam's Ice Cream sign building permit even though the sign height exceeds the allowable 9' however, the height requirement has yet to be added to the ordinance. Advised Sam that his temporary banner building permit is rejected because his proposed banner is 22.5 SF and only 12 SF is allowable due to the frontage length of his building.
11. I stopped by the office to drop off a Building Permit for Ice Cream Shop sign.
12. I inspected for the abandoned vehicle at 248 Mercer St. Still there. I received a call from Joseph O'Reilley, 274

Mercer St., regarding the front of his Trump sign has been removed for the 2nd time and wanted to know if he could replace it without a building permit. Also, I inspected the property after receiving a burning complaint.

13. I contacted Joseph O'Reilley to inform him that a Building Permit was not needed to replace an existing sign and also requested that he advise his tenant of Harmony's Burning Ordinance. He asked if a recreational fire was allowed and I told him yes. He knew of the fire pit at the back of the garage and said his tenant would hang out back there with friends.
14. I spoke with Hope, 444 Liberty St., regarding building permit requirement for concrete patio replacement.
15. I left a voice mail for a lady explaining fencing requirements in the borough.
16. I received a message from Tod Diminno confirming that both abandoned vehicles have now been removed from his property. I verified that both vehicles had in fact been removed. I sent Matt an email to cancel our hearing with the District Magistrate scheduled for 4/15/2022.
17. I picked up two boxes of material that Phyllis left for me to review.
18. I worked on reviewing the boxes of material.
19. I completed reviewing and organization the boxes of material containing the following documents: Deeds, Annexation, Street/Alley vacation, numerous ordinances between #2 - #1311, railroad bridge construction contract and inspection, Historic District, Water Authority and 2013 Zoning Violations.
20. I talked to contractor, Scopewell Commercial and homeowner, Christopher Eden, regarding building permits for inside renovation of 1st and 2nd floors at

748 Spring St. I sent out an email regarding political signs in the borough.

21. I responded to Matt Morrow, Fire Sprinkler Sales, Mars, PA regarding Building Permit requirements for 562 Main St.
22. I sent an email to Matt requesting a hearing for Zach Shumaker since he has not responded to the District Magistrate decision of a fine and violation correction after 30 days. I sent an email to Matt requesting an explanation of difference between a Home Base Business and a Home Occupations. Also, if a home owner can lease, rent or sublet a portion of their home for either one.
23. I explained to Tom Murray, Murray Agency, that a home-based business could not have employees other than family members that reside in the dwelling.
24. I spoke with a lady wanting to know about Harmony's burning ordinance.
25. I spoke with Todd Diminno about a violation judgement he has received after the hearing was to have been cancelled by Matt. I sent Matt an email asking how the judgement can be cancelled. Matt will issue a letter to mark the judgment as satisfied.
26. I spoke with Michelle Tiki, 552 Main St., regarding needed building permits for a deck on the back of her house.
27. I prepared April monthly Time and Activity Reports.

Respectfully submitted,

Allen E. Bayer