

November 1, 2022

HARMONY BOROUGH COUNCIL MEETING November 1, 2022

COUNCIL MEMBERS PRESENT:

Greg Such - virtually

Phyllis Metz

Frank Luck

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver

Mayor Cathy Rape

OTHERS PRESENT:

Susie Altemus

Ryan Bechtold

Rodney Gasch

Frank Grannon

Chris Kopacz

Bob McCafferty

Chief Jim Miller

Matt Racunas, Solicitor

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 Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the October 4, 2022 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that during the October council meeting it was discussed to make changes to the sidewalk ordinance. Allen Bayer sent Matt changes, and Matt clarified a few of them. There are two proposed changes, one that would alter the change of the definition of a deficient sidewalk by adding verbiage that allows a condition determined by the Code Enforcement Officer that creates a hazardous environment for pedestrian traffic. The second change is that the building permit fee will be waived for repairs made in accordance with this section if the corrections are made within 60 days of the initial notice violation or without a notice by the property owners or their agents.

If the sidewalk ordinance is part of the Zoning Ordinance, the proposed changes would need to go to the County Planning Commission and to Harmony Borough Planning Commission for comment, they have 30 days to review; then we would need to schedule a short public hearing, then advertise and adopt. Then, as part of acceptance, Solicitor Matt will send it to County Planning and the Borough Planning.

Don Sims requested a motion to add an item to the agenda for the Police Service Agreement with Zelianople.

In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously approved to the Police Service Agreement to the agenda.

Don Sims reported that Council and the Solicitor all received a copy of the Police Service Agreement. Solicitor Matt commented that he made some changes, nothing substantive, to make sure the time limitation is adhered to. Mayor Cath Rape inquired that the agreement starts in 2025, why vote on a new contract three years from now? Dave Szakelyhidi responded 'to get a good deal'. Chief Miller commented that Zelic Police want to keep things going and are happy to be your neighbor. Don Sims commented that they do this in private industry too, to keep a contract moving so there are no interruptions or last-minute negotiation deals. Chief Miller commented that the last time we did it, it was 2 and a half years in advance.

In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously approved to renew the Police Service Agreement with Zelianople.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Don Sims reported that there are no appointments needed.

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Council of Governments (COG):

Phyllis Metz that PA One Call will be at the next COG meeting later this month.

HARB:

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

John Ziegler – 616 Wood Street – Paint house to match existing color (green granite), new vinyl windows throughout (white) and new mullions at front only.

In a motion made by Dave Szakelyhidi and seconded by Frank Luke, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 616 Wood Street.

Jeff Byko – 309 German Street – New gutters on front porch to be K-style gutters (white) with downspout painted to match existing downspouts.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 309 German Street.

Water Authority Board:

Dave Szakelyhidi reported that the Water Authority Board would like to propose a new performance template for the employee evaluations and will meet with the Borough's personnel committee to review.

Parks Board:

Susie Altemus reported that she and Greg met with the Rotary, Greg gave a presentation for the grant for new playground equipment, it was positively received and hopefully the Parks Board will receive a donation from the Rotary. Rotary is aware of the end of the year deadline to apply for the grant. Joe and Lance made Susie aware of another grant from Western Pennsylvania Conservatory, it is for canoe access development fund to improve existing access. Susie needs to find out if it is matching or not. If it is not matching, Susie would like to apply for the grant, the deadline to apply is November 21st. Greg Such commented that they will need a resolution.

In a motion made by Greg Such and seconded by Jason Sarver, the Harmony Borough Council unanimously approved passing a Resolution for the Parks Board to apply for the Western Pennsylvania Conservatory Grant that Susie discussed.

The Event Form for the Silvester has been turned into Phyllis. The tree the beavers were chewing has been removed from the Trail by Bob Altemus.

Library Board:

Frank Luek commented that he noticed the line item on the proposed budget didn't contain anything for the Library and asked Council to consider making a donation. Frank also reported that the fundraiser at the Steamfitters last Saturday, there were a lot of tickets sold and commented that it is a beautiful place.

Planning Commission:

Frank Luek commented the Planning Commission will review the changes to the sidewalk ordinance once Matt sends it.

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WBCA:

Greg Such reported that DEP is still considering the answers that were sent regarding the Harmony Pump Station and will probably be for another 30 days. At our next meeting we can expect a request to continue the formation of the WBCA, there will be a Resolution for that.

Solicitor Matt reported that there was an issue raised by WBCA administrative staff relating to the drop box outside, we have a shared drop box in terms of Water utilities and WBCA utilities, there is also another drop box inside for WBCA. The outside box is shared, the bills would be gathered and separated and someone from WBCA would come pick-up the payments. WBCA raised a concern of the intermixing of bills and they would prefer to have separate boxes outside for each utility. WBCA proposes to have a separate box next to the Water Authority box, they will install at their cost and WBCA would remove the interior box. Dave Szakelyhidi reported that they met with WBCA a month or so ago because the issue came up when somebody lost two Harmony Borough Water Authority payment to WBCA, the payments were put in the inside box. The checks weren't cashed but stop payments were issued and WBCA reimbursed the Water Authority for the cost of the stop payments. We now have a change of custody in place where the WBCA employee signs for the payments. Dave brought up the fact that people have been putting payments in that box for 20 years and even if you tell them not to, we will still get WBCA payments. Dave commented that there is the same box at Zelig for mixed payments and inquired why it isn't an issue with Zelig? Solicitor Matt commented that the issue that was brought up was that the employees are not bonded for both Water and WBCA payments. Joe Dippold suggested WBCA go to HARB for approval for the box. Dave Szakelyhidi commented that our employees are bonded for \$100,000 for each the Water Authority and the Borough, WBCA employees have an insurance rider for \$50,000. Dave commented that he will do exactly what Zelig does, why is Harmony Borough being treated differently than Zelig? Solicitor Matt commented that he was told that it is not a shared box in Zelig. Greg Such commented that WBCA has the right to collect their payments however they like. Don Sims commented that Council wants WBCA to take it to HARB for approval. Solicitor Matt will let Autumn know.

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 this Saturday, November 5th they will be decorating the town, starting at 9am. The Christmas Market is November 12th and 13th. Saturday, November 26th Trombones on Ice is a free holiday concert at the Harmonist Barn from 2-4 pm; bring your own chair, they will pass the hat for donations.

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HBA:

Cath Rape reported the next meeting is in December when they will have a small Christmas party at the Bottlebrush for business owners. Small Business Saturday starts the first Saturday after Thanksgiving. The participants will have evening hours on December 7th and 14th from 4-7pm. Greg Such reported that he was asked if HBA could store some signage upstairs, Greg said that would be okay but we couldn't be responsible for them. Frank Luek commented that they are already up there.

Other Meetings:

Stormwater Group Meeting – Greg Such reported that there isn't an update on the MIP Grant yet, this is expected to in November. There was a lunch and Stormwater meeting in Zelie afterwards they visited a storm water project that Zelie had completed. Dave Szakelyhidi commented that it was the Linden Street culvert.

Commissioner's Communication Meeting- No updates, no representative attended from Harmony Borough.

PUBLIC COMMENT:

Susie Altemus - Susie commented about the October Council meeting minutes that Charlie Krivanek asked about adding gravel to the street beside his house because of the Post Office delivery person causing a mudhole and inquired if the borough could put gravel by her mailbox. Cath Rape commented that in the front of the mailbox is the property owner's responsibility. Susie didn't know how Council responded to Charlie's request.

Ryan Bechtold – 747 Spring Street – Ryan inquired if they would be paving Spring Street soon where they put the waterline in. Frank Grannon responded that it is on the schedule, the rain delayed it. Ryan also inquired about the house at 714 Spring Street, asking if the guardrail could be shortened to allow parking off of Wood Street. The house next to it, 640 Wood Street, pulls in next to the guardrail and parks, even though it is not a driveway. If Ryan purchased the property, would he be able to get a variance to come around the guardrail or shorten the guardrail. Parking on Spring Street is too steep of steps for his elderly father. Solicitor Matt Racunas commented that it is possible, it is a separate board, not Council; the Zoning Hearing Board has different members and lawyer. Matt suggested applying for a variance from the Zoning Hearing Board, it is possible but it is discretionary. Solicitor Matt suggested putting a contingency on the offer that way Ryan can apply for the variance. Mayor Cath Rape questioned that a variance would be needed for removing guardrail. Solicitor Matt responded that if Allen (Zoning Officer) told him he needed a variance, then there is an ordinance preventing something. Chief Miller responded it would be a curb cut. Jason Sarver inquired if there were any concerns from council, there weren't any concerns. Bob McCafferty commented that he owns the property at 714 Spring Street, he originally purchased it to expand parking. The turn-a-round is 10x20 ft, so looking at that turn-a-round it is a huge turn-a-round. There are ways of parking there and ways to make it better.

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BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Chief Miller reported Halloween went well, the guys reported that there were less kids out this year.

Chief reported that Zelig is getting more cameras through Guardian at half cost. He inquired if Harmony would be interested in cameras in the Square. Chief talked to Guardian today, they would put 4 cameras up in the Square for an estimated cost of \$3,000 or 2 cameras for \$1500. If Council wanted, Zelig Police could control it, they have all the recorders at the Police Station. Guardian would need to come look at it and pick a spot to put the cameras, it would need internet access. There is a monthly monitoring fee of about \$18.00 per camera. Don Sims commented that Council could discuss privacy issues. Chief Miller commented that there aren't any privacy issues. Dave Szakelyhidi made a motion to pursue getting cameras in the Square. Don Sims commented that he has reservations about it. Chief was not able to prosecute off of them before. Chief Miller commented they made six arrests in Zelig; but they have to be able to identify the driver. Chief Miller will bring the guy over from Guardian and get a cost and then Council can decide.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported that they've been picking up leaves. Regarding a query from Alicia Flood about street lights, the lights on Beaver Street are equally spread out, the poles are on Zelig's side, so this would be a Zelig issue. Frank did not have a chance to look at the storm drain on Center Street, there was a comment made about a car being parked on it for almost a year, that would be a Police issue and asked Chief to take a look at 426 Center Street. The last day for leaf pick-up is November 18th.

Zoning and Codes:

Allen Bayer report submitted via email.

Engineer Report:

Engineer Tom Thompson was unable to attend. Greg Such reported that the RACP Square Committee met and looked the Square regarding underground cabling and decided the conduit there comes in a unit that handles four different cables and that is what we will go with as part of the bid package that goes out. Tom agreed to give sidewalk drawing and there is potentially a grant we can apply for to manage stormwater in the Square. We will need to pass a Resolution to apply for the grant, we can do that at the December meeting. Tom is preparing a bid package and it will be co-bid with Zelig in order to keep the price down. Don Sims commented that we received the answer from Tom regarding paving on the Trail and it is not an issue. Cath Rape commented that Tom said in the Floodplain and she believes the Trail is in the Floodway, it is different than the Floodplain; 50 ft from the creek bank. Don Sims commented that we will go with Tom's response for now.

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Public Safety:

Phyllis Metz reported that the Event Form for the Silvester has been submitted.

In a motion made by Phyllis Metz and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the Event Form for the Silvester.

Business Development:

Cath Rape requested Council to approve the \$640 for the bench parts.

In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the purchase of the bench parts in the amount of \$640.00

Personnel:

Greg Such reported that Health Insurance plan we currently have is showing an 11% increase. We are looking at another policy with a 5% increase, this policy has a tier A and tier B provider; the tier A provider has a lower copay than the tier B. We put together a survey that went out to the employees to identify which doctors they use to see who would be affected.

The DB Plan fund changes that we were notified about does not affect the borough. Jason Sarver reported that Nick from the Water Board requested a sit down with the Personnel committee to discuss the review process. Phyllis Metz commented that they are to meet on November 9th. Jason Sarver also reported that they had a Personnel Committee meeting last month and he still need to get Amy the notes.

Finance:

Joe Dippold reported that we have the preliminary budget for 2023, hats off to Greg; \$812,000 coming in and \$812,000 going out.

In a motion made by Joe Dippold and seconded by Frank Luek, the Harmony Borough Council unanimously approved advertising the preliminary budget for 2023.

Frank Luek commented that he cannot understand the increase in the real estate taxes. Greg Such commented that Ann (John) went back and reviewed her numbers and sent a report of what she collected and that is what it was. One thought and it is strictly speculation, that perhaps there was a change in the tax collection software system, they had been working on issues around that; or maybe enough properties changed hands that they were appraised at higher property rates. Greg also commented that some of the Income Taxes were higher too and that is a different organization.

Streets:

Don Sims reported that the last day for leaf pick-up is November 18th and we will be preparing for winter with getting the salt box on the truck. Frank Grannon reported that he was approached by Jackson Township, they would like to do a switch off for snow removal on Old Little Creek and we would take over Park Edge Drive. We currently have an Agreement with Jackson for Old Little Creek to change off for them doing Evergreen Mill so we would need to redo the agreement. Don Sims suggested instead of redoing the agreement, just add a new agreement. Don Sims

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Streets Cont.:

stated that we will need a Resolution to add Park Edge and Jackson will take over Old Little Creek, needs to be added to the December agenda.

Facilities:

Phyllis Metz reported that she received a quote from Gary Miller to paint the bathroom, two coats of paint, in the amount of \$545.00

In a motion made by Phyllis Metz and seconded by Frank Luek, the Harmony Borough Council unanimously approved Gary Miller painting the bathroom in the amount of \$545.00

Greg Such inquired if he could paint it before election day. Phyllis will ask.

Grants:

Greg Such had nothing new to report.

Training & Conferences & Correspondence:

Listed on the Correspondence List.

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 **\$20,307.93**

Payroll in the amount of **\$7,445.32**

Fire Tax Bills Payable in the amount of **\$386.89**

General Bills Already Paid in the amount of **\$7,873.31** (\$7,589.95 after HBWA)

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

Adjourned: 8:07pm

As there was no further business to discuss, the Harmony Borough Council adjourned the November 1, 2022 In-person and Zoom virtual meeting at 8:07pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

October 2022

1. I stopped by the office periodically to pick up mail, complete Building Permits and sign violations notices.
2. Filing and administrative work.
3. I attended the October HARB meeting.
4. I received a call from Dean Mark, 755 Spring St. to tell me that he will repair his sidewalk after the borough fills the pot hole on Third St. at his property. I informed Frank of Dean's request.
5. I attended the October Council meeting.
6. I spoke to Aaron Emilio from Berkshire Hathaway regarding a home for sale on Spring St. Her client wanted to know if it could be made into a duplex.
7. I spoke to Danielle Malloy with Compass Realty about the house behind the Harmony Inn. A client wanted to know if they could put a driveway off of the Wood St. turnround at the backyard of the house.
8. I performed violation inspections.
9. I worked on preparing reminders, warnings as well as, no-permit notices.
10. I prepared a sidewalk repair permit for 214 S. Division St. and two sign permits for the ice cream shop.
11. I performed a sidewalk inspection at 245 Mercer St.
12. I completed a sidewalk repair permit for 625 Wood St.
13. I prepared the proposed changes to the sidewalk ordinance.
14. I spoke with Bob Goosen, 156 N. Charles St., about electrical inspection for the garage he is having constructed.

15. I spoke with Lisa Russ, 448 Center St., questioning her violation notice regarding sidewalk repair without a permit.
16. I spoke with Kevin Dietrick, 125 S. Pittsburgh St., questioning his violation notice regarding sidewalk repair without a permit.
17. I spoke with Marilyn Fleischman, 433 W. Beaver St., regarding her missing house number violation notice.
18. I created a sidewalk repair without a permit violation notice for 425 Center St.
19. I inspected a sidewalk repair at 213 S. Pittsburgh St. and informed the owner that it had not been repaired.
20. I prepared a sidewalk repair building permit for 226 Mercer St.
21. I spoke with Ryan Baechtold about if a driveway could be put at the back of the house on Spring St. that backs up to the turnaround on Wood St.
22. I completed two sidewalk repair permits.
23. I attended the November HARB meeting.
24. I performed two sidewalk violation inspections at 306 German St. and 755 Spring St.
25. I completed two sidewalk repair permits and a sidewalk permit violation notice at 102 S. Division St.
26. I spoke with Kayla Reedy regarding permitting for residential solar. I referred Kayla to Harmony Township.
27. I prepared a warning sidewalk violation notice at 755 Spring St.
28. I distributed Chapter 21 recommended sidewalk changes to Council.
29. I spoke with Steve Madaffair, 213 Utah St., about his sidewalk violations and having received a warning notice. He said the contractor wanted \$4,100 to do the repairs which he currently cannot afford. I told him to

patch it as best he can and then to call me to meet with him and see what he was able to do.

30. I created a sidewalk repair permit for 213 Utah S.

31. I signed several letters advising residents of the variance hearing concerning vegetation height at 233 Mercer St.

32. Completed October Time and Activity Reports.

Respectfully submitted,

Allen E. Bayer