

October 3, 2023

# HARMONY BOROUGH COUNCIL MEETING October 3, 2023

## **COUNCIL MEMBERS PRESENT:**

Greg Such

Phyllis Metz

Frank Luek

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver

Mayor Cathy Rape

## **OTHERS PRESENT:**

Susie Altemus

Chuck Schramm

Rodney Gasch

Frank Grannon

Bob Leonberg

Chief Jim Miller

Andrew Orient

Mark Sapienza

Tim 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 Phyllis Metz, the Harmony Borough Council unanimously approved the September 5, 2023, Council meeting minutes.

**SOLICITOR'S REPORT:**

Solicitor Matt Racunas reported that Butler County Planning sent comments back on the SALDO. Larry Reynolds suggested moving/rearranging items in the ordinance, the Borough Engineer stated you cannot make those changes. Solicitor Matt suggested waiting to advertise the Ordinance until we get our Planning Commission's formal response back. Solicitor Matt reported on Trick or Treat being October 31<sup>st</sup> from 6-8pm. In a motion made by Don Sims and seconded by Frank Luek, the Harmony Borough Council unanimously approved Trick or Treat on October 31<sup>st</sup> from 6-8pm.

Solicitor Matt reported that the Mantia building that was hit by a vehicle. Matt is looking into options and the impact. Tim Sapienza, Fire Marshall recommended condemning the building; as there is no heat, electric, it is rotting, is unsafe, uninhabitable and is a danger to the community. It is in the Historic District and is not up to code. Dave Szakelyhidi commented that the Borough has a property maintenance code. Larry Reynolds drafted a violation of the dangerous structure for Councils' review. Larry will forward the draft violation notice to Matt and Amy. Greg Such commented that the County may be able to help via their land bank, they have been buying old buildings and rehabbing them or disposing of them. Action item is to contact the County.

**BOARD REPORTS/APPOINTMENTS:**

**Appointments:**

Greg Such reported that there were no appointments needed.

**South West Butler Council of Governments (SWBCOG):**

Greg Such reported that the first SWBCoG meeting was held on September 19, 2023. The executive committee who oversees the CoG is Allen Osterwise is Chair and Drew Matthews is Co-Chair. There is a Fire Department Oversight Board, Allen is the Chair, Drew is the Co-Chair, the Executive Director, who is the day-to-day Manager is Chris Rearick. Jackson Township's attorney is handling the legal work; either Jackson is paying it or it is being done gratis. The next meeting will be December 4<sup>th</sup> at 4:30pm; January 16<sup>th</sup> at 4:30pm will be the reorganizational meeting. Phyllis Metz is the alternate for Harmony Borough. We should create a list of potential shared services or purchases.

**HARB:**

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

**Michele Papakie -552 Main Street** – Replace existing windows (not existing bay), 15 double hung and 1 casement. Windows to be Forest Green to match trim. In a motion made

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**HARB Cont.:**

by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 552 Main Street.

**MJ McCurdy-Bottlebrush Gallery – 539 Main Street** – Repaint front door and frame, same color (SW 7685). In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 539 Main Street.

**Harmony Water Authority:**

Dave Szakelyhidi reported that they're down a couple operators, Bob moved to the Borough. There are six interviews scheduled. Dave also reported that hydrant flushing will be October 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup>.

**Library Board:**

Frank Luek suggested \$1.00 per resident in the 2024 budget go towards a Library donation.

**Parks Board:**

Susie Altemus reported there will be a survey available for Swampoodle Park, it will be on the Borough website and in the newsletter. Silvester registration is now open. There is more traffic on the Trail. The port-o-john will be removed from the Canoe Launch on October 7<sup>th</sup>.

**Planning Commission:**

Deferred until the Borough Engineer is in attendance.

**WBCA:**

Greg Such reported that WBCA continues to consolidate the lots where the administration building will be. Jason Sarver reported that the preliminary plans were approved by Zelig. The conditional use permit is lined up, the meeting will be 10/30 in Zelig. Solicitor Matt reported that the State approved the renewal of the Authority – it is a 50-year renewal.

**Shared Services:**

Bob Leonberg had nothing new to report.

**Parking and Signage:**

Greg Such asked for a motion to ratify crosswalk and line painting in the amount of \$1820. In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the quote to paint the Rte. 68 crosswalk and the double yellow line on Mercer Street in the amount of \$1,820. Bob Leonberg reported the line painting is scheduled for tomorrow, October 4<sup>th</sup>.

**Historic Harmony:**

Andrew Orient reported that there will be a concert at Grace Church on October 14<sup>th</sup> with cellist Eugene Friesen with a reception at Stewart Hall starting at 6:30pm. Frank Luek commented that the art show at Stewart Hall was very interesting.

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**HBA:**

Cath Rape reported the next HBA meeting is Thursday, October 5<sup>th</sup> at 6:30pm at Linden Tree. Sleepy Hollow will be October 14<sup>th</sup>. Andrew Orient reported tonight is the last night for the Harmony After Hours.

**Other Meetings:**

Greg Such reported that the Commissioners' Communications meeting will be October 5<sup>th</sup> at 10:00am and the Stormwater meeting will be October 11<sup>th</sup> at 1:15pm. October 13<sup>th</sup>-15<sup>th</sup> is the PSAB Annual Conference in Erie. There is a ribbon cutting ceremony for the Jackson Trail Bridge on October 18<sup>th</sup> at 1:00pm; and there is a Butler County Boroughs' Association dinner on October 26<sup>th</sup>.

**PUBLIC COMMENT:**

**Mark Sapienza** – 226 Mercer Street – Mark Sapienza inquired on the response to the letter sent to the Harmony Inn. Greg Such commented that the Inn agreed to stop open mic on Monday nights at 9:00pm, and to move karaoke inside on Tuesday nights; and generally, try to be better neighbors. Mark Sapienza thanked Frank Grannon for his 17-years of service. Mark inquired on who will be the back-up if it snows. Greg Such reported the Borough is looking to hire a part-time person; there is an ad posted. Mark Sapienza also inquired what to do if they can't hold of Sean and have a water issue, Mark called Sean twice and never received a call back. Dave Szakelyhidi commented to call the water plant and if no answer, call Dave. If it is during the day call the Borough office.

**Andrew Orient** – 239 Mercer Street – Andrew Orient commented that the noise level at the Harmony Inn on Sunday evening was turned down, the music was lower and because the music was lower the conversation was lower. Jason Sarver commented that the Police Department sat down with the Manager about what they have to go through and how it impacts the community.

**Chuck Schramm** – 841 Edmond Street – Chuck Schramm commented on the great job the Parks Board did removing the thistles at Swampoodle Park. Chuck supports the residents about the noise at the Inn. Chuck also inquired if the Borough had the means to put a speed traffic control light (like the one Zelig has) by the Barn on Mercer Street, cars speed down that hill. Don Sims commented that the Zelig Police have sat on Seneca Drive monitoring that area. Chuck also commented about how awful the water taste, adding that he might as well drink out of a swimming pool; the amount of chlorine and chemicals. Joe Dippold commented that he will pass it on to Sean (Water Authority Operations Director). Greg Such suggested going to a Water Board meeting, the next meeting is October 26<sup>th</sup> at 7:00pm.

**Andrew Orient** – 239 Mercer Street – Andrew Orient commented about the speed of the cars on Mercer Street between 5:30am and 6:30am, it's a speedway and the stop signs are optional. Chief Miller commented that the Zelig Police will do a study on the speed on Mercer Street. Don Sims commented that we don't need another study, just pull people over. Chief Miller commented that you need factual information to do so.

**BOROUGH STAFF REPORTS:**

**Police Report:**

Report submitted via email.

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**Office:**

Amy Brown had nothing new to report.

**Borough Director of Operations:**

Greg Such reported that there are a couple of purchases that need ratified. The LED light repair for the light down by the new Union Brothers. In a motion made by Don Sims and seconded by Phyllis Metz, the Harmony Council unanimously approved the LED light repair in the amount of \$760. Bob Leonberg reported the light parts were installed last week. The second purchase was for a laptop for Bob Leonberg/Streets Department in the amount of \$700 for the laptop and software. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the purchase of the laptop and software in the amount of \$700. Bob Leonberg reported that a No Parking sign was missing on Pittsburgh Street, he ordered a new sign. He also needs to replace the One-way signs on Center Street, they are the old style and the cost is \$76.72 for two. Bob reported that the sink hole on Center Street, WBCA did a dye test on it and it ran into their system, not sure if it is a lateral or a main but WBCA will work on getting it repaired. Repaired the lock on the box on the flagpole in the Square; fixed a 35mph sign on Rte. 68 near Main Street. Contacted Voelker to get a hot box to patch the catch basins, waiting for a call back.

**Zoning and Codes:**

Larry Reynolds report submitted via email.

Larry Reynolds reported that the Stormwater Management webinar did a great job on Eastern PA., not on Western PA. Greg Such commented that our 10-municipality group is leading the way. Larry also reported that he sent a violation notice to 211-1/2 S. Pittsburgh Street to replace the asphalt sidewalk with concrete.

**Engineer:**

Greg Such reported that Tom Thompson is running late and will join later.

**Public Safety:**

Phyllis Metz reported that the Christopher Hulbert Memorial Run/Walk has been cancelled. Phyllis reported that she received an Event Form from the HBA for Haunted Harmony to be held October 28<sup>th</sup>. In a motion made by Phyllis Metz and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the Haunted Harmony Event contingent on receiving the Certificate of Insurance from HBA.

**Business Development:**

Cath Rape reported that Seneca Valley Middle School Principal Mr. Babusci wanted a plan to have students work with the borough's finance committee on our budget. Cath emailed Mr. Babusci back to let him know our finance committee worked on it in the evenings due to having full time jobs elsewhere. Cath reported to keep in mind if there are any projects next spring that we would want Seneca Valley students to help with, they would be on board with that again. Cathy also reported that she has been in contact with the Collation Against Bigger Trucks, Harmony has their signature on letter that was sent to Congress stating we do not want longer, heavier trucks; 1500 municipalities signed the petition.

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**Personnel:**

Greg Such reported that we need to ratify the pension contributions, 2024 MMO (Minimum Municipal Obligation) for the Defined Benefits Pension Plan (original pension plan) is \$51,701.00 and the 2024 MMO for the Defined Contribution Pension Plan (the new pension plan) is \$26,118.00; there is some government support for that but we do not know that amount yet. In a motion made by Don Sims and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the 2024 MMOs.

Jason Sarver reported that the Borough has two water operator positions to fill, the first interview is scheduled for tomorrow. The Borough also has a part-time street position open to help with grass cutting and leaf collection, the pay will be \$18/hr. and hours will be between 7:00am-3:00pm. Greg Such reported that Council was not in favor of bagging leaves, the temp agency in Butler can hire someone at \$28/hr. which includes the temp agency's charge. Plan B is to bag the leaves in paper bags.

**Finance:**

Greg Such reported that it is budget month. Joe Dippold commented that a committee meeting will be needed. Frank Luek inquired on the Treasurer's Reports, he hasn't seen one in months. Amy reported that the Treasurer's Reports are emailed monthly.

**Streets:**

Greg Such reported that our Penn Dot Rep, Cory Shaffer, talked to Frank (Grannon) about an ordinance that protects the Borough from utilities cutting the street right after we pave. The ordinance specifies how much they have to replace if they cut. Greg forwarded a copy of that ordinance to Matt for his review. Frank Grannon reported that he received a call from a contractor stating they want to move forward on Center Street from Bluff to Pittsburgh, laterals down Peffer and Pittsburgh and pickup on New Castle from Division to Highland; and suggested moving quick on changing the ordinance. Dave Szakelyhidi commented that Zelig already has an ordinance and their contractors must replace curb to curb.

**Facilities:**

Amy Brown reported that the deposit for the new security system has been mailed and the equipment will be ordered. They will give an install date once equipment is received.

**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 **\$80,848.98**

**Fire Tax Fund Bills Payable** in the amount of **\$34.21**

**Payroll** in the amount of **\$7,314.27**

**General Bills Already Paid** in the amount of **\$12,174.53**

**Parks Board Bills Already Paid** in the amount of **\$110.00**

**Liquid Fuels Bills Already Paid** in the amount of **\$47,678.82**

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**BILLS PAYABLE CONT.:**

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.

Tom Thompson arrived at the meeting at 8:28pm. Andrew Orient inquired if there is a bid opening date for the Stormwater Project. Tom responded that there isn't a date scheduled yet.

**Executive Session:**

Greg Such called the executive session to discuss a personnel matter. Into executive session at 8:30PM, out of executive at 8:45PM.

Greg Such reported that the Borough will continue to pay health insurance for Employee #19 until December 1, 2023. The health insurance policy renews on December 1<sup>st</sup>. In a motion made by Jason Sarver and seconded by Don Sims, the Harmony Borough Council unanimously approved paying health insurance for Employee #19 until December 1, 2023.

**Engineer:**

Tom Thompson reported on the Stormwater Project, there was not a lot of feedback back from the Railroad. The plan is to go to bid with several options with the differing routes, Options A and B, and alternatives to get prices for everything. Limitations that we have are on German Street some of the utilities need to get under/through, we will use the existing pipe and run around it and send it through the existing railroad culvert. Potentially the Railroad will fix their existing piping in Jackson Township that is partially collapsed and making it bigger and allowing all of that water to follow that route to take it out of the heart of Harmony. The base bid includes once flow crosses the railroad, run it behind the buildings on the south side of Mercer Street, then across Mercer and down to the creek. Two inlets on Mercer Street will be potentially connected to the Opera House, with an extension east on Mercer to tie in to eliminate the replacing piping under the building. Those will all be pieces that the Council can pick and choose from; there will be prices for the cost and with the funding the Borough has you can decide to do all of it or some of it. On Seneca Drive there's so much interference that you don't have provisions for going through there, leave it a private system with the swell. Penn Dot came out and said all that piping is ours, which is good so now we can upgrade it. Bid openings will be presented at the next meeting, they will be opened in advance and summarized. Tom will have the bid sheet set up.

On Parkway Street, a section of Parkway has 6", 8" and 12" pipe. We are going to much of it with an 8" pipe until we get to the corner of the bend where there's a 12" pipe and the sinkhole on Rt 68 beside the inlet near Calvin Church.

There are five inlets being added on to the smaller grant project.

The RACP Grant will be submitted later this week.

Tom also reported that the GIS for the Stormwater study had been done in the Borough. The County had several properties listed as residential that should have been non-residential or vice versa, they have gone through that so they are all categorized correctly. Gannett Fleming is meeting with HRG on Friday and this subject will be discussed at the next Stormwater meeting.

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Frank Luek inquired on the SALDO changes that Larry (Reynolds) had suggested. Tom Thompson commented that he responded to Larry that the substance in the ordinance doesn't change. The section that the numerical 600 did not agree with the eight hundred was corrected to six hundred. In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to advertise the public hearing and the adoption of the amendments to the SALDO Ordinance.

**Adjourned: 9:02PM**

As there was no further business to discuss, the Harmony Borough Council adjourned the October 3, 2023, In-person and Zoom virtual meeting at 9:02pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Amy Brown".

Amy Brown, Recording Secretary

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

**September 2023**

Stopped by office to pick up mail. Prepared August time and activity reports.

Met with Aaron Tolfa (contractor) and Phil Melnick (contractor) and Sarah Klein (homeowner) to tour building at 714 Spring Street to explore and determine required repairs to replace existing wooden foundation with concrete footings and concrete or block walls on front part of the building. Attended Borough Council Meeting.

Visited 213 South Pittsburgh Street to discover new sidewalk and apron construction site ready for concrete. No one was around so planned to revisit site the next day.

Could not return to 213 South Pittsburgh Street until noon. The sidewalk and apron had already had concrete installed. Met with Mr. Detwiler (contractor) who promised to apply for a permit immediately. No one visited Borough Hall that day, so I prepared a Notice of Violation letter for Mr. Pat Murray owner of the property.

Picked up mail and requested Amy to prepare the Notice of Violation for Mr. Pat Murray.

Spoke with an applicant requesting permits required for new barn. Referred her to Jackson Township.

Spoke with an applicant requesting permits required for new addition. Referred her to Zelienople Borough Zoning.

Attended Planning Commission Meeting. Asked to prepare an analysis of the proposed changes to Harmony Borough Ordinance # 502.

Attended a Pennsylvania State Association of Boroughs Webinar on Stormwater Management. Gleaned many helpful ideas for Harmony's stormwater management programs. Spent the afternoon going over the five (5) pages of proposed corrections to Harmony Ordinance # 502. Found several possible corrections and prepared a report of those possible corrections for the members of the Planning Commission. Emailed my report to the members of the Planning Commission

Spoke with an applicant concerning landlord's lack of maintenance on property. Referred her to Zelienople Zoning Officer.

Stopped by office to pick up mail. Met with Monica and Serenity owners of the Nail & Plant shop at 255 Mercer Street to determine extent of plumbing additions and other repairs required to the interior of the three (3) stores on site. Prepared a Building Permit Application and Building Permit to be inspected by Tom McCosby.

Emailed back and forth with Joe White as to possible next steps to take for our corrections to Ordinance # 502.

Spoke with Greg Such concerning the damage to the storefront at 241 Mercer Street caused by an automobile collision. Inspected and photographed the damage to not only the plate glass window but also structural damage to the building beneath the window. Prepared a Notice of Violation if such is required. Prepared a Notice of Violation for the existing blacktop sidewalk at 211 1/2 Pittsburgh Street to be replaced with concrete as per ordinance 21-304.

I mistakenly identified Mr. Hueling as the person calling about the overgrown vegetation along Route 68 on either side of Fox Pizza. The actual caller was Mr. Tom Lozzar. My sincere apologies to both Mr. Hueling and Mr. Lozzar.

Respectfully submitted,

Larry A. Reynolds