

September 5, 2023

HARMONY BOROUGH COUNCIL MEETING September 5, 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
Rhonda Eppinger
Shane Eppinger
Tim Eppinger
Rodney Gasch
Frank Grannon
Bob Leonberg
Chief Jim Miller
Andrew Orient
Mark Sapienza
Tom Thompson
Susan Webb

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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 Dave Szakelyhidi, the Harmony Borough Council unanimously approved the August 1, 2023, Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that the SALDO has been submitted to Butler County Planning and is in the 45-day review period.

Solicitor Matt reported on the Harmony Fire District loan guarantee, the ordinance to incur the indebtedness has been advertised and is ready for adoption. The loan amount is \$2,811,000.00 Harmony Borough's portion is 5% which is about \$140,550. This will not affect the Borough's borrowing base, it is only guaranteeing the case by default. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the adoption of Harmony Fire District Loan Ordinance 440.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported that Joe Dippold needs to be re-appointed to the Water Authority Board. In a motion made by Dave Szakelyhidi and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the re-appointment of Joe Dippold to the Water Authority Board. Joe Dippold abstained from the vote. Mayor Cath Rape swore in Code Enforcement/Zoning Officer Larry Reynolds. Greg Such also reported that the South West Butler County CoG needs a representative. In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough Council unanimously appointed Greg Such as the SWBC CoG representative for Harmony Borough and Phyllis Metz as the alternate representative.

Council of Governments (COG):

Phyllis Metz had nothing new to report.

HARB:

Dave Szakelyhidi had nothing new to report.

Harmony Water Authority:

Dave Szakelyhidi reported that DEP wants proof that there are no lead lines in our service area, the Water Authority isn't sure how to prove it. This is a list of streets where the water mains have been replaced, it was suggested to send letters out to all customers to identify their lines and if unknown an appointment will be scheduled with the water operator/supervisor, the deadline to have the water lines identified is October 2024. Don Sims inquired if lead testing could be done with water samples. Dave Szakelyhidi responded that testing is done now every three years.

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Parks Board:

Susie Altemus reported that the vinegar and Torched herbicide did not work on the weeds at Swampoodle Park. The Parks Board will send a survey out to see how much the park is used. Susie thanked Cath Rape and Frank Luek for the work they've done at Swampoodle Park. Susie also reported that she applied for the tree give away with First Energy. There is a 100-sapling minimum, Susie suggested partnering with the Museum and possibly having a community give-away. The Parks Board started working on the Silvester.

Library Board:

The Director of the Library, Nicole Sloka reported that the summer reading program is amazing, there were 206 people signed up for it, 182 were children. The Library had 45 programs in 37 working days; 41,000 items circulated from June through August. Frank Luek suggested \$1.00 per resident in the budget this year to go towards the Library.

Planning Commission:

Frank Luek had nothing new to report, they are waiting on the Saldo changes.

WBCA:

Greg Such reported that WBCA is trying to assimilate and aggregate all the various pieces of property that Hall's owned, WBCA will use part of that property for the new administration building. The property also includes a right-of-way to the Sportsmen's Club.

Shared Services:

Frank Grannon reported the last limb pick-up for the year is Thursday, September 7th.

Parking and Signage:

Greg Such reported on the Rt. 68 crosswalk, if the Borough does it according to Penn Dot specs, we cannot do it in-house. Frank Grannon suggested adding the double yellow line on the new paving on Mercer Street with the crosswalk. Frank is to get a bid. Zelianople has subcontractors in now painting lines and curbs. Frank is to call Chief Miller for the contact information.

Historic Harmony:

Rodney Gasch reported that the Main Street side of the Ziegler Log Cabin roof is complete and work continues on the other side of the roof. The Museum is working with the Washington Trail 1753 people, they received a grant to put up interpretive panels; the Museum is hoping to put one up near the walking trail. The Art of Harmony Exhibit starts September 16 and runs through the end of September in Stewart Hall. The Christmas Market will be November 11th and 12th. There will be a meeting Tuesday, September 12th at 7:00pm to revise the Bylaws.

HBA:

Cath Rape reported the next HBA meeting is Thursday, September 7th at 6:30pm at Chicken Knits, the new building at 562 Main Street.

Other Meetings:

Greg Such reported that the Commissioners' Communications meeting will be September 6th at 1:30pm, and the Stormwater meeting will be September 13th at 1:15pm. There is a Butler County Boroughs' Association dinner on October 26th at the Watering Hole.

PUBLIC COMMENT:

Susan Webb - 233 Mercer Street – Mrs. Webb is concerned about the noise from the Harmony Inn. She is concerned about the decibel levels, which are not limited according to the Borough Ordinance 412-K, and therefore the borough cannot control how loud the music gets, nor does the ordinance have a curfew or a time that music or loud noise is to come to a conclusion. Mrs. Webb referenced Allegheny County’s Nuisance Ordinance, it lists 10PM. There is no enforcement of the ordinance, no fines or penalty.

Mark Sapienza – 226 Mercer Street – Mark Sapienza commented that the noise from the Harmony Inn is annoying and he shouldn’t have to put up with it. Mark reminded Council of the Friends of Harmony regarding Paragon, the Friends of Harmony hired a lawyer and Paragon had to take the stacks down because of the noise. During one of the council the Police said to call them, Drew (Orient) said the Police have told him that the Borough needs to enforce the ordinance. Solicitor Matt commented that most ordinances do not have decibel limits, unless it is specified operations like oil and gas and other specialized equipment. Most ordinances are general nuisance which is if it rises to a level of annoyance then you have something to say, they are in violation and need to quiet down. He was able to find an ordinance with a curfew of around 10:00 PM, PSAB has a time limit. If Council would like to explore amending their ordinance that is something they can do. Greg Such will talk to Bob and ask to end at 9:00PM. Frank Luek suggested to end outdoor serving at 10:00PM. Chief Miller suggested adding a time to the ordinance, the current ordinance is open to interpretation. Chief Miller also suggested if there is a problem with the bar, call the LCB.

Drew Orient – Drew inquired if the Borough was going to send an official letter to Bob (McCafferty) and if the public would be able to see how their concerns are presented and to see Bob’s response. Greg Such responded that if he sends a letter there probably won’t be much of a response. Joe Dippold inquired if Solicitor Matt could write the letter. Solicitor Matt will send the letter, Greg Such will sign it.

Mark Sapienza inquired what is going on with the water, it has a color to it and it taste terrible, he has to use bottled water. Dave Szakelyhidi responded that bottled water does not go through the testing that the Harmony Borough Water Authority does. Don Sims suggested getting a sample of Mark’s water. Frank Grannon inquired what are they to test for. Greg Such responded to taste Mark’s water and smell it.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Frank Grannon reported that he spoke to the bidder for the catch basins and he cannot do much on the price because of prevailing wage. Frank also reported that he continues to mow grass; and stated that the Borough needs another employee. Frank reported that the paving

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Borough Director of Operations Cont.:

on Center Street is done, it took 3 weeks to get the seams sealed. They were over 25.34 tons on the asphalt which is normal. Frank will have Cory Shaffer do a final inspection and sign off on it. After the street was paved, the contractor was rolling it and there is a big sink hole on Center Street. Frank will cut a section of Center Street to see what is going on underneath.

Frank Grannon reported that there was a PA One Call for the gas company for design to replace lines on Center Street. They are going to replace the line from Bluff Street to Pittsburgh Street, down Peffer Street a little bit, down Pittsburgh Street a little bit and down Center Street on the other side of Pittsburgh. Dave Szakelyhidi called someone in the Engineering Department of gas company and he said it is all in design right now but will see if they could move it to a different area. Frank Grannon suggested if the gas company cuts the street, the Borough should see if they will mill and resurface it. Cath Rape inquired if Frank contacts the utility companies to let them know beforehand what streets the Borough is paving. Frank Grannon responded that the Borough sent a letter in March of what streets we were paving. Frank Grannon inquired how the Borough was going to handle leaf season this year. Lake Forest Gardens cost is the same as last year to dump leaves, \$1500. Leaf season should start October 17th. Don Sims inquired what the solution would be as Frank will not be here. Frank Grannon suggested bagging the leaves as it only takes one person to pick the bags up.

Zoning and Codes:

Larry Reynolds report submitted via email.

Larry Reynolds reported that Mr. Hulings called him about the properties along Rt 68 with high grass. It is Penn Dot property and recommended he contact Penn Dot. Larry also reported that the owner of the Center of Harmony may want to put a gravel parking lot behind on Aster Lane. Larry is trying to find if Pennsylvania considers gravel pervious or impervious. Tom Thompson responded that with the Stormwater Ordinance, any new gravel is considered impervious.

Engineer Report:

Engineer Tom Thompson reported that there is a design laid out for an alternate route for the Stormwater Project that is more beneficial for the Borough, it is in Jackson Township and on Railroad property, Tom is waiting for an answer. Drew Orient inquired if it would be helpful for the Engineer to bring drawings to the Borough meeting so residents can understand where the areas are. Tom Thompson commented when it is ready to go to bid, the Borough will have the documents and anyone can see them.

Greg Such inquired if the RACP Grant went out to bid, Tom responded that it has not because they are still waiting on First Energy.

Public Safety:

Phyllis Metz reported that she received an Event Form for the Christmas Market. The Christmas Market will be November 11th from 10AM-6:30PM and November 12th from 10AM-4:30PM. In a motion made by Phyllis Metz, and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Christmas Market.

Phyllis reported that she received an Event Form for the Harmony Block Party on September 16th on Monroe Street from 2:00PM-7:00PM with a street closure of Monroe Street to the corner of Ziegler Street. In a motion made by Phyllis Metz and seconded by

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Public Safety Cont.:

Frank Luek, the Harmony Borough Council unanimously approved the Harmony Block Party.

Phyllis also reported that she received an Event Form for the HBA's Sleepy Hollow on October 14th. In a motion made by Phyllis Metz and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Sleepy Hollow.

Business Development:

Cath Rape reported that the Burgh Bits & Bites is coming back in town on October 6th and November 3rd. The new sign on Rt 68 is working well. The new bench donated in memory of Libby Wright has been ordered. Cath also inquired about the garbage can ordinance, someone asked her about it. Larry Reynolds responded that it is not to be visible from the street. Don Sims commented there is a distance set back but the intent was to get the garbage cans off of the sidewalks after pick-up. Greg Such commented that an elderly resident could not move their can to the footage in the ordinance therefore it was changed to not be visible from the street.

Personnel:

Greg Such reported that Frank Grannon is resigning and expressed the Borough's gratitude for his service over the years, adding that Frank will be missed. Bob Leonberg has agreed to take over Frank's role. Jason Sarver thanked Frank for always working hard and having a really good work ethic. Jason welcomed Bob Leonberg. Bob will transition over from the Water Authority. Greg Such reported that the plan is to open positions at the Water Authority and a part-time person to help Bob. Andrew Orient inquired when Frank's last day would be. Frank's last day is October 13th. Bob Leonberg thanked Council for the opportunity. Jason Sarver reported that Bob has experience as he worked at Mars and has worked with Frank. Dave Szakelyhidi reported that Bob also has a CDL license and is a licensed water operator.

Frank Grannon inquired if Council wanted to pay for dumping the leaves at Lake Forest, the cost is \$1,500. In a motion made by Jason Sarver and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved to pay the \$1500.00 to Lake Forest for the dumping of leaves. Greg Such commented even if the leaves are bagged, they will still need dumped.

Finance:

Joe Dippold reported that it is budget time and to submit wish list for next year.

Streets:

Don Sims reported that there is enough salt. Don would like to get the inlet repairs done. Frank Grannon will call Bob Barbish in regards to the inlets. Don Sims inquired who will be Bob's (Leonberg) back up for plowing snow as Bob was always Frank's. Phyllis Metz commented that is not known yet. Greg Such commented that the Borough can use RB Tree if needed.

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Facilities:

Greg Such reported on the 2Krews quote for the hard-wired security and fire system. The quote is in the amount of \$5,380.00 with a \$43.95 per month monitoring fee. In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the security and fire system through 2Krews.

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 **\$5,472.72**

Fire Tax Fund Bills Payable in the amount of **\$16.11**

Payroll in the amount of **\$7,463.47**

General Bills Already Paid in the amount of **\$12,492.06**

Parks Board Bills Already Paid in the amount of **\$740.45**

Liquid Fuels Bills Already Paid in the amount of **\$6,257.85**

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

Executive Session:

Greg Such called the executive session to discuss a personnel matter. Into executive session at 8:20PM, out of executive at 8:29PM.

Adjourned: 8:30PM

As there was no further business to discuss, the Harmony Borough Council adjourned the September 5, 2023 In-person and Zoom virtual meeting at 8:30pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

August 2023

Prepared two Building Permit Applications for Phyllis Metz at 764 Spring St. for driveway already constructed and a concrete pad to be poured. Picked up mail at office. Attended the Council Meeting.

In accordance with Mr. Hulings email request, I inspected the blacktop driveway and sidewalk at 211 1/2 Pittsburgh Street. Both driveway and sidewalk had already been constructed without a Permit. The new blacktop appears to have been applied over an existing gravel driveway and sidewalk. Harmony Borough does not require a permit to apply blacktop with no demolition.

Prepared an email reply to Mr. Hulings as to no permit required for 211 1/2 Pittsburgh Street. Sent copies to Amy and Greg Such.

Met with the contactor for expansion of existing kitchen on back of a house at 423 East New Castle Street to determine if expansion conformed to Zoning requirements. All setbacks, dimensions, footers, foundations conform, so prepared a Building Permit application.

Attempted to contact the Barkley household to request them to remove a construction dumpster parked on the lawn at 131 S Pittsburgh Street. Issued a Permit Application for the dumpster. The \$25.00 was paid and the dumpster removed.

Picked up mail at office. Visited residence of Mr. Matthew Hillwig at 743 Spring Street to request he pick up and pay for an existing Construction Permit Application. Tried to determine if the deck had been built, but was unable to do so. The babysitter was the only person at home.

Picked up mail at office. Spoke with potential applicant as to required permits for new addition. Referred him to Jackson Township.

Picked up mail at office. Spoke with potential applicant as to required permits for new fence. Referred her to Zielenople.

Picked up mail at office. Received a phone call from Mr. Hulings to complain about the overgrown vegetation along Route 68 on either side of Fox Pizza. I spoke with Amy who informed me that the area in question is actually PennDot property and their responsibility to maintain. Checked the County Maps to confirm the information and informed Mr. Hulings of such.

Picked up mail at office. Received a Standard Right to Know Law Request to determine the right of way width for Little Creek Road and Evergreen Mill Road. Amy's research of readily available local information led nowhere.

To try and get more information on Right to Know Request, I called Butler Court House and spoke to Nick in county maps who gave me the information he had on file. Relayed the dimensions to Amy to respond to the request. Also requested any additional information available from the County.

Received an email from Ashley Cammisa, Accounts of Clerk, Butler County including a PDF of all the information on Harmony roads she had available. I forwarded everything to Amy.

Received a call from Jaime Loschinsky concerning a pair of signs for ChickenKnitz at 562 Main Street. Met with him at site to determine the placement and conformance of the signs. Met with Mr. Loschinsky at town hall to fill out approved Building Permit Application.

Received a call from Michelle Myrter owner Wunderbar property including three small stores that are currently vacant. She has a new nail salon and plant emporium tenant that wishes to take over all three stores. Met with her at the property to discuss permitting issues and plans for the outside. Told her any outside changes would require HARB approval as well as building permits. She will get back to me when plans are more advanced.

Attended HARB Meeting. Discussed ChickenKnitz signs and request for signage on triangle at Main Street and Evans City Road.

Met with Candy Issac at 427 Center Street to discuss a proposed shed roof extension on side of property. Suggested she get a survey of property to ensure compliance with side yard offset. She also wishes to install a new gravel driveway. Told her to get plans and site plane for her project. Met with Aaron Tolfa a contractor to discuss removal and replacement of existing wooden foundation at 714 Spring Street. The homeowner did not show up so meeting postponed until Tuesday 9/05/2023.

Respectfully submitted,

Larry A. Reynolds