

December 5, 2023

HARMONY BOROUGH COUNCIL MEETING December 5, 2023

COUNCIL MEMBERS PRESENT:

Greg Such

Frank Luek

Dave Szakelyhidi

Joe Dippold

Don Sims

Jason Sarver

Mayor Cathy Rape

OTHERS PRESENT:

Rodney Gasch

Sam Hopkins

Bob Leonberg

Kathy Luek

Chief Jim Miller

Andrew Orient – Virtual

Keonne Rodriguez

Lauren Rodriguez

Jack Skelly

Tom Thompson

Joe White

PUBLIC HEARING

Solicitor Matt Racunas called the hearing to order at 6:50pm, the purpose of this hearing was to hear public comment on the proposed amendments to the Subdivision and Land Development Ordinance (SALDO) as recommended by Butler County. Chapter 22-202 (HH) (.3), 303 (C) (1), 303 (C) (4), 503 (G), 504 (H) and (I), 304 (C). Solicitor Matt asked if there were any questions from the public on the proposed SALDO amendments. The proposed ordinance has been sent to the Butler County Planning Commission and the Harmony Borough Planning Commission for review. As there were no questions from the public or Council, the Public Hearing was closed at 6:53pm.

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 Jason Sarver, the Harmony Borough Council unanimously approved the November 14, 2023, Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that the public hearing was held at 6:50pm for the proposed amendments to our Subdivision and Land Development Ordinance (SALDO). The public hearing is a prerequisite to the approval and adoption of the ordinance. In a motion made by Don Sims and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the adoption of the amended Subdivision and Land Development Ordinance.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported that there were no appointments needed.

SouthWest Butler Council of Governments (SWBCOG):

Greg Such reported there was a meeting last evening, the next meeting will be January 16th. The Fire District reported that they are doing well with fundraising and donations, they are a month ahead of schedule on the new building. Wayne Siebel retired and Evan George will now be the Secretary for the Fire District. There was an antique fire truck that they acquired and hope to restore, there will be separate fundraising for that restoration.

As part of the CoG, potential joint purchases were also discussed, such as paving, and repairing catch basins and purchase of aggregates. If we wish to join them in bidding for paving projects, we should have nominations. for the next meeting on January 16th and then they will have Penn Dot do the paperwork. The Brenckle property is under contract. Jackson Township purchased it, it will be used for stormwater.

HARB:

Dave Szakelyhidi reported that there was one Certificate of Appropriateness that HARB approved and recommends to Council.

Rodriguez – 610 Wood Street – New metal roof, Aspen color, new metal gutters and downspouts, Copper Penny color. In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the Certificate of Appropriateness for 610 Wood Street. The Certificate was not sent to the Borough prior to the meeting, once received from HARB, Greg Such will sign the approved certificate when received.

Harmony Water Authority:

Dave Szakelyhidi reported that the Water Authority hired two non-licensed operators, they are working under the other licensed operators.

Parks Board:

Susie Altemus was unable to attend. Greg Such reported that we have some new sponsors for the Silvester. Jason Sarver reported that Susie requested some support for the kids' race, Jason at Jackson and Liberty Streets; Don at Jackson and Main Streets; and Dave at Monroe and Mercer Streets. Don Sims reported that he has another commitment and will not be able to help.

Library Board:

Kathy Luek reported that there are fundraisers going on and some holiday activities, stop in at the Library. The Library is selling raffle tickets for a "Night Out on the Town" which include two tickets for the Pens and Montreal game on January 27th, a \$150 gift certificate for Martorano's Prime in The Rivers Casino and a \$100 Uber card. Tickets can be purchased on the Library's website, and the drawing is January 15th.

Planning Commission:

Joe White reported that Jeff Byko and Joe, himself, will be resigning from the Planning Commission Board as of January 1, 2024. Greg Such thanked Joe for his service. Greg Such announced that if anyone is interested in volunteering to be on the Planning Commission, they meet rarely. If someone wishes to develop a new piece of property or redevelop the piece of property, the Planning Commission meets to discuss plans and they vote for or against and make the recommendation to Council. The Planning Commission also looks at amendments to certain ordinances.

WBCA:

Greg Such reported that work continues on the Administration Building.

Shared Services:

Bob Leonberg had nothing new to report.

Parking and Signage:

Greg Such reported that a vote needs to be ratified for Dog Control signage for the Trail in the amount of \$514.16; four two-sided signs. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the Dog Control signs. Bob Leonberg reported the signs are on order.

Historic Harmony:

Rodney Gasch reported the barn was packed for the free holiday concert on November 25th – Trombones on Ice. Rodney thanked Frank Luek for installing the historic interpretive panel last week. December 12th is the Holiday Potluck Dinner, bring a dish to share and your own favorite adult beverage, and your own plate and silverware; doors open at 6:00pm for socializing and dinner is at 6:30pm. The new officers and directors will be installed at the Potluck Dinner. Gwen Lutz, Joe White, and Rodney chose not to run. New Officers are: Kathy Luek, President; Cheryl Speir, Vice President; Barb Etter, Treasurer; and Linda Powlus, Secretary. New Directors are Denise Rodgers and Nancy Wilson.

Rodney also reported that State Representative Stephanie Scialabba contacted them requesting to host a townhall meeting on Thursday. Historic Harmony has a renter and inquired if the Borough council room would be available on a Thursday in late February. Joe Dippold commented that the Water Authority Board meets the 4th Thursday of the month. Council agreed to allow State Representative Stephanie Scialabba to use the council room to host a townhall meeting if Stewart Hall is not available. Rodney reported that this is his last council meeting and thanked Council and the Borough for all the support they've shown the Museum over the past seven years while he was President. Greg Such thanked Rodney for his service and cooperation. Greg also reported that there is a Butler County Tourism Grant and inquired if the Museum wanted to work on it with the Borough. Rodney commented that the museum had a brief discussion that they might apply for a grant but nothing has been decided.

HBA:

Cath Rape reported the HBA is having Holiday Shopping Strolls, December 5th and 12th from 4-8pm it benefits the Southwest Butler County Food Cupboard, there will be live music and the streets will be lined with luminaries. Next Tuesday, December 12th at 7:15pm there will be caroling on Grace Church steps and possibly beyond, they will end at the Inn for hot chocolate outside.

Other Meetings:

Greg Such reported the County Commissioners' Communications meeting will be December 7th and the Stormwater meeting will be December 13th at 12:15pm at Jackson Township.

PUBLIC COMMENT:

Jack Skelly – Commander of Veterans of Foreign Wars, Harmony-Evans City Memorial Post 499

Mr. Skelly invited Council to the grand opening of their new smoke-free canteen (bar) on December 15th from 4:00pm-7:00pm at 408 N. Washington Street in Evans City.

Andrew Orient – Andrew inquired on the stormwater bids. Greg Such replied that it is later in the meeting.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Bob Leonberg reported that there were 40 loads of leaves taken to Lake Forest, the last day to pick up bagged leaves is December 15th. The salt spreader is on, oiled, and ready to go. Installed a stop sign at Highland and Rt 68; installed the one-way sign on Center Street. Sold the salt spreader that the Mayor put the for sale sign on. Took 2 loads of scrap to the scrap yard. Greg reported that John Rice and Bob (Leonberg) went through the garage to identify old equipment that isn't used anymore. John Rice suggested an auction. Don Sims suggested piecing it out. Solicitor Matt reported that the buying and selling bid limit is \$2,000. It was decided to put a For Sale sign stating bids will be submitted for the snow blade and zero turn.

Greg thanked Bob and the HBWA staff for leaf pick-up before the Christmas Market.

Zoning and Codes:

Larry Reynolds report submitted via email.

Larry Reynolds reported that Robinson Fans would like to replace the existing externally-illuminated sign with an internally-illuminated sign. Larry is waiting to hear back from the sign maker to know if the illumination was adjustable, do not want it to be a distraction to drivers.

Larry also reported that Michelle Myter is working with FEMA on the impervious (gravel) parking lot, FEMA is talking about tying the parking lot in with the Swampoodle Mitigation Project. Tom Thompson commented that because of where their site is, they may be able to contribute to doing stormwater controls upstream to offset their stormwater controls which would be a benefit. They would ultimately work with Jackson Township, there would be a Developer's Agreement. Dave Szakelyhidi commented that they are looking at it as a watershed project.

Larry Reynolds also reported on the fire inspections. The Borough's Ordinance states 2 or more units to be an apartment. Solicitor Matt commented that 1 unit would be a rental, not an apartment. Greg Such reported that last month council discussed moving the inspection to all rentals but did not think about changing the ordinance. Don Sims inquired if there was a downside on including the single-family homes in the fire inspections. Solicitor Matt commented the hardest part in doing rental inspections is identifying the single-family rentals and when there is transition; the only downside would be the expense of doing the inspections. Jason Sarver commented that you can mitigate that by charging a small fee for the inspections. Greg Such reported that council voted last month to increase the fire inspections to \$40/unit. Don Sims commented if we are changing the ordinance, we should include AirBnBs. Sam Hopkins commented that he personally tries to create homes for people, and have tenants report issues. Having someone from the Borough going through their homes every year, tenants deserve privacy and not being disturbed. Greg Such commented that the Borough inspections are every other year. Larry Reynolds and Jason Sarver will work on a model ordinance and present it to Council.

Mayor Cathy Rape commented that she went to Jackson Township's meeting and asked to see a plan for Swampoodle. Chris Rearick said they are basically going to make the wetlands larger. Cath has a problem with that, we want retention and not spreading the water out. Tom Thompson commented that it should be some form of retention to hold a 20-year flood. Greg Such commented that it will be discussed at the Stormwater meeting. Larry Reynolds also reported that Bill Thomas at 735 Spring Street has a concern of the local sanitation operating in the neighborhood at 2:30am. Solicitor Matt commented that the Borough's garbage ordinance states 6:00am. Greg Such suggested Mr. Thomas get a picture

December 5, 2023

Zoning and Codes Cont.:

of the garbage truck with the time stamp on the picture for proof. We have a contact at Vogel on the phone with us tonight. Andrew Orient commented that Vogel has commercial trucks and residential truck that serve at different times. Mr. Thomas also expressed concern about the continuing flooding of his property due to undersized storm drains under the Dambach's parking lot. Greg Such commented that that is covered under the stormwater work.

Engineer:

Tom Thompson reported on the Stormwater Project that was bid out. It was broken down into four sections. Part A was the German Street/Mercer Street area, we looked at a base bid and an alternate bid. The alternate bid basically upsized to equivalent to a 48" pipe from the culvert pipe under Rt 68 to the Creek, and the base bid is a 36" pipe from the same points. Part B was the Seneca Drive/Gregg Drive area. Part C was the stormwater at Parkway, and Part D was the Inlet Project that was bid out separately before. We received three bids; those bids were fairly consistent across the board from the perspective of costs. The low bidder was S.E.T., Inc. for all of the parts. The alternate bid for Part A we wanted to see what the improvements would be if we upsized to see if it would constitute a new crossing at the railroad. Part D, the Inlets came in at \$24,500 which was significantly lower than the previous bid. Part A had some improvements that may not need to be done, there was a \$50,000 check valve that may not be needed. Part A base bid, Part B and D, with the MIP funding of \$768,945.00 the Borough is looking at an additional \$90,000. The Borough could hold off doing Parkway/Part C if funding isn't available as there isn't a lot of water generated in that area, it would need to be done at some point but it is not a drastic area. The Borough could go to the County for additional funds to do Parkway/Part C. Tom Thompson's recommendation is to accept Part A base bid, Part B and Part D with an option for the check valve and an option for Part C should more money come in. Tom feels there are some cost savings that can be done during the project. Forecasted to be under contract by the end of 2023 with a start date of April 15, 2024. The bid amount for Part A base bid is \$864,668.24, Part B is \$58,435.05 and Part D is \$24,500. Greg Such commented that the Borough will need to come up with an additional \$90,000. Don Sims suggested taking it out of the roadway, we can patch if we need to and if we can get money from the County. We cannot pave Mercer Street until we get the drainage done. Andrew Orient inquired on who the three contractors were. The three bids were received from Jet Jack, Inc.; J.S. Bova Excavating, LLC; and S.E.T., Inc. In a motion made by Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved to accept the S.E.T. Inc. bid in the amount of \$947,603.29 for Part A Base, Part B Base, and Part D Base with the option to consider Part C and the check value if funding is available. Roll call vote: Frank Luek – yes, Dave Szakelyhidi – yes, Joe Dippold – yes, Jason Sarver-yes, and Greg-yes. Motion passed.

Tom Thompson reported the RACP Project is to go out to bid in January. SET is a contractor that does that type of work as well.

Public Safety:

Greg Such reported that the Shamrock Shuffle will be on March 23, 2024, the Certificate of Insurance has not yet been received.

December 5, 2023

Business Development:

Cath Rape gave an update on the Coalition Against Bigger Trucks stating that because of supply chain issues there is a Bill in legislation for pilot programs allowing 91,000-pound trucks and 88,000-pound auto haulers. Cath Rape also reported the Silvester is listed in the Borough News under Events. Cath also commented about the article in the Borough News, Strategic Plans Analyze Specific Needs for the Community. Cath thought it was a good article and good idea to have a 5-year plan for the town so everyone is on the same page of what we want and what is needed for our town. Cath inquired if anyone received the Buffalo Creek Confluence on December 7th, she would like to see someone go to it. Greg Such commented that it is sold out, it is only online. Cath also asked if anyone was working on putting the plaque back on the monument, Bob Leonberg will put it back on. Jason Sarver reported that he spoke to Ray Racoon regarding the sign for the Square, he will set a meeting with Ray and the Mayor next week.

Personnel:

Greg Such reported that the Borough has a potential candidate for the part-time streets position, Greg will set up an interview, he would like Bob, and Jason or Phyllis in the interview as well. Greg reported the buy-out fee for the temp agency to hire their employee was \$3700. Jason Sarver reported that the Borough needs to ratify the annual raises for the licensed operators to \$26/hour as recommended by the Water Authority. In a motion made by Dave Szakelyhidi and seconded by Joe Dippold, the Harmony Borough unanimously approved the \$26/hour for licensed operators. We need to modify the agenda to vote on the hourly rate of the new hires. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved modifying the agenda to include the hourly rate of the new water operators. In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the hourly rate of \$22/hour for the new non-licensed operators. Jason Sarver reported that the Personnel Committee agreed to keep the same health plan, it was a 12% increase. Jason Sarver also commented that an executive session is needed to discuss Personnel issues.

Finance:

Greg Such reported the preliminary budget for 2024 was advertised and is ready for adoption. In a motion made by Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the 2024 budget.

Streets:

Don Sims had nothing new to report.

Facilities:

Dave Szakelyhidi had nothing new to report. Cathy Rape inquired on the Mantia building. Greg Such responded that it will be discussed in executive session, it is a legal issue. Greg reported that he's been counting cars at the Spring Street parking lot, there are 10 or less cars at one time. Solicitor Matt suggested looking at the lease, Addams Auto may be encroaching on our leased lot.

Grants:

Greg Such reported that Zelienople, Jackson, Cranberry Township and Harmony were awarded a grant for street safety. The idea that we proposed was trails. This is for a study, not for building trails. We have two years to complete the study, and then, hopefully, we

December 5, 2023

Grants Cont.:

can find another Grant to do the implementation. It was the biggest grant and the only one granted in Pennsylvania. Cranberry's grants staffer wrote the grant application.

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 **\$17,278.24**

Silvester Fund Bills Payable in the amount of **\$281.91**

Payroll in the amount of **\$7,350.47**

General Bills Already Paid in the amount of **\$2,015.24.**

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.

Greg Such called for an executive session at 8:30pm, out of executive session at 9:00pm.

Adjourned: 9:00PM

As there was no further business to discuss, the Harmony Borough Council adjourned the December 5, 2023, In-person and Zoom virtual meeting at 9:00pm.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

November 2023

1. Stopped by office to pick up mail. Prepared October time and activity reports. Received an application for large gravel parking lot between Aster Lane and Connoquenessing Creek abutting the Center of Harmony Building.
2. Visited site of proposed gravel parking lot in back of Center of Harmony Buildings. This area is a flood plain and the Pennsylvania DEP is strict about parking lots in a flood plain. Researching the requirements for such a project.
3. Visited 320/322 German St to check if garbage cans are still on the street. They are and photographed them. Visited the site behind Harmony Center and photographed same.
4. Researched the DEP and FEMA regulations concerning parking lots in flood plains. Prepared copies of pertinent regulations for HARB meeting. Forwarded copy to Joe White.
5. Attended HARB meeting and presented the application for a parking lot in back of Center of Harmony. Checked garbage cans on German Street. Still in violation of the ordinance. They have until 11/8 to move them.
6. Spoke with owner of 322 German St. who promised to have the garbage cans removed by 11/8. I have not heard from owner of 320 German St. Spoke with Michelle Myrter owner of Center of Harmony as to proposed parking lot requirements through FEMA and EPA. Sent an email with my research finding as to requirements to Michelle and Greg Such. Sent an email to Greg Such outlining my proposed rental unit fire inspection fee and inclusion of single-family houses not occupied by the owner in the inspection program.
7. Stopped by office to pick up additional Building Permit Applications. Met Mr. Robert Rice at 435 Liberty St. to determine if he could build a new deck/front porch on front of house. The front setback was too little to allow the deck. He will rebuild the front steps. He queried if 306A and 306B German Street were within the Harmony Historical District. Spoke with Carol Tomako as to addition of a driveway and possible garage at 506 Main Street. Visited site to determine if construction would be possible. Spoke at length with Katrina Harmel concerning the proposed parking lot in back of Center of Harmony. She will attend the council meeting to present her findings as to FEMA and EPA requirements for the gravel/asphalt/concrete surface. Met with Mr. Robert Rice to sign Permit Application for replacement front steps.

8. Met with Steve Berg, owner of newly rehabbed rental unit at 232 Bluff Street. Performed a fire inspection and found no problems so they passed. Will send him an invoice for the inspection and certificate.
9. Spoke with the prospective buyer of 506 Main St. He wants to build a driveway alongside the existing historic house. I explained the steps required to obtain the permits.
10. Spoke with design engineer for the new Aldi Supermarket. Referred him to Jackson Township. Spoke with Matt who wished to build a new house on Spring St. He inquired flood plain and HARB involvement on the south end of Spring St.
11. Prepared Apartment List and Fire Safety Checklist for Council Meeting. Attended Council Meeting.
12. Rode by 320 German St. to ensure that all the garbage cans were removed from the sidewalk.
13. Stopped by office to pick up mail. Spoke with Derek Dishong from Sysco Systems as to required permit to protest outside of Sysco Systems facility. Rode around the area to determine the limits of Harmony Borough and discovered that the entire area is in Jackson Township. Referred him to Nikki Colton Zoning Officer for Jackson Township.
14. Drove by and around 793 Spring Street to try to determine if deck was ever built without permit. No one was home so unable to access the property.
15. Spoke with Candy Issac concerning a new driveway on her property. She has a new survey to determine setbacks from neighboring property. Will meet with her on Wednesday at 1:00 PM.
16. Spoke at length with Mr. Bill Thomas, 735 Spring Street concerning Vogel Sanitation operating in his neighborhood at 2:30 in the morning and disturbing his sleep. He also complained about continual flooding on his property due to an undersize storm drainpipe under the Danbaugh parking lot. I responded that I would bring up the Vogel operation hours to the Borough Council and investigate the drainage pipe situation.
17. Visited Candy Isac at 427 Center Street to measure side yard setback and Permit Application and Building Permit for new gravel driveway and curb cut.
18. Spoke with Kylie with sign company who is contracted to replace the existing Robinson Fan sign on route 68. Researched the location zoning and ordinances for the sign. Emailed a copy of Harmony's Sign Ordinance and have questions as to the requested lighting of the sign. Will meet with her to determine the exact lighting type and lumens. Prepared November Time Sheet and Activity Report

Respectfully submitted,

Larry A. Reynolds
Code Enforcement/Zoning Officer