

July 2, 2024

HARMONY BOROUGH Council Meeting July 2, 2024

COUNCIL MEMBERS PRESENT:

Greg Such

Joe Dippold

Frank Luek

Phyllis Metz

Jason Sarver

Don Sims

Dave Szakelyhidi

Mayor Cathy Rape

OTHERS PRESENT:

Susie Altemus

Sam Hopkins

Bob Leonberg

Chief Jim Miller-ZPD

Matt Racunas

Larry Reynolds

Tom Thompson

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CALL TO ORDER:

Council President, Greg Such called the July 2, 2024 Council 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 June 4, 2024 Council meeting minutes.

In a motion made by Don Sims and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the June 4th Stormwater Hearing minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that the public hearing was held on the Stormwater Authority; everything seems to be going well. Matt also helped assist with some Right-to-Know responses for the Borough relating to the Stormwater Authority. Greg Such reported that Evans City revoted to join the Stormwater Authority following the proper process.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported that no appointments were needed.

Southwest Butler County Council of Governments (SWBC CoG):

Greg Such reported that he did not attend the meeting but had notes from discussion with Chris Rearick. The new Fire Station is on track, they should be moving in September. The September CoG meeting may be held in the new building. Zelianople and Jackson had discussions with the Fire District of paid admin support, which they plan to contribute to. Greg thought the admin position was to help them with the building tracking and things, but it looks like maybe this is going to continue. There was also a request put in for a paid fire chief. Chris (Rearick) also said they are looking for a semi-retired Engineer for the Stormwater Authority. They may ask Cranberry Township to join the SWBC CoG to help reduce paving costs; they are happy with the volume discount they received but maybe could get more if Cranberry joins and they put a bigger lot together. We are due for a joint recreation plan update; we made one in 2019 with Jackson Township, Zelianople and Harmony. Chris Rearick wants to have a four-community meeting on August 9th, that will not be a public meeting, but there will be public hearings on the Recreation Plan and the Brenckle property later on in the Fall. There's no action on the Brenckle overall comprehensive plan, there will be public meetings for input. The stormwater retention work at the Brenckle property is proceeding. Chris Rearick is looking around trying to figure out a way to get two entries into that property instead of just one to help keep traffic down on Spring Street. Chris Rearick is also remembering the Trails that Tom Nesbitt and Tom Murray put together that went around Zelig and Harmony. Joe Dippold inquired on the EMA and asked Greg to keep it on their radar. Greg Such commented that he is unsure if they were able to get someone to fill in.

HARB:

Dave Szakelyhidi had nothing new to report.

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Harmony Water Authority:

Dave Szakelyhidi reported that the water tank is 14 years old and an inspection was done on the tank's interior and exterior. The man who inspected it said that it is amazingly clean inside and the exterior had some ice marks. The Water Authority Engineer estimated that it wouldn't need painted for 20 years but we may do painting prior to 20 years. Dave had photos of the interior of the tank if anyone wanted to look at them. Dave added that there was very little sediment inside. Jason Sarver commented that John Rice asked him to coordinate a meeting with the school (Seneca), as Jason worked with the Facility Director before. Dave suggested Jason and Cathy (Funkhouser) work on it together.

Parks Board:

Susie Altemus reported that the July 11th concert will be John Burgh Band and Indian Brave will have a fundraiser during the concert for children with brain cancer. Susie also reported that Jackson Township spread fine limestone on the upper portion of the Trail and down the hill. Jason Sarver commented that he gets a lot of compliments on the Trail.

Library Board:

Frank Luek reported that the Wine Walk was very successful. There will be a book sale and bake sale on July 18th, 19th, and 20th. The Library is getting new carpeting and some upgrades.

Historic Harmony:

Frank Luek reported that the House Tour went well, there were about 100 people that did the tour, everybody loves Harmony. The Antique Gun Show is August 3rd at Stewart Hall and a Flea Market at the Museum on August 20th. Cath Rape commented that if anyone has anything to donate but no clothing, furniture or appliances; it is a fundraiser for the Museum.

Planning Commission:

Larry Reynolds had nothing new to report.

WBCA:

Greg Such reported that he wasn't able to attend the last meeting. Solicitor Matt didn't have anything new to report but commented that the admin building continues progression. Larry Reynolds reported that he is working on simplifying the Street Opening Permit Application, there are some changes he would like to make; the Ordinance states the cost of the permit is \$50 plus \$30 per square foot of excavation; Larry inquired if Council wanted to do linear foot or square foot. Don Sims commented that it is monies for the repair, nobody compacts it well and then we end up with a sink hole. Jason Sarver commented that Zelig's is per linear foot. Tom Thompson commented that the Penn Dot standard is linear foot but the Borough can do whatever they want to. Greg Such inquired what would be involved to change the ordinance. Solicitor Matt responded that it would need to be advertised and then voted on the next meeting.

Shared Services:

Bob Leonberg reported that limb pick-up will be Thursday, July 11th.

Parking and Signage:

Cath Rape inquired if Jackson Township was contacted yet to see if they would put a sign near the round-about that says Mercer Street is Local Deliveries Only. Greg Such responded that he has not yet talked to Chris Rearick about the sign.

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HBA:

Cath Rape reported that there will not be a meeting in July.

Other Meetings:

Greg Such reported July 10th at 10:30am will be the Commissioners Communication Meeting. There is no Stormwater Meeting this month.

PUBLIC COMMENT:

Sam Hopkins – 550 Main Street – Sam thanked the Borough for painting the crosswalks.

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Cath Rape commented that she received a complaint about speeders on Wood Street, Jackson Street and North Main Street. Greg Such suggested purchasing a couple “Slow Down” signs. Frank Luek commented that painting “Slow” on Jackson Street seems to be working. Jason commented that painting that and repainting the speed hump really slowed cars down as did seeing Police cars in the area; the neighbors are thankful.

Office:

Amy Brown had nothing new to report.

Borough Director of Operations:

Bob Leonberg reported that they painted more lines on Spring Street, the cones were placed around the catch basin on Liberty Street, and the bushes were trimmed by Evergreen Mill Road at the end of the bridge. Bob also reported that the sinkhole on Division Street was repaired and paved, also paved the area on Pittsburgh Street where the water leak was. Bob inquired if he is allowed to cut back limbs that are over signs. Don Sims responded to let the people know he needs to trim the limbs because it is the law. Jason Sarver suggested sending a letter a week in advance letting the property owner know that the Borough will be trimming the branches if they do not trim them. Greg requested that Bob and Melanie straighten signs. Phyllis Metz asked if someone could talk to Jackson about the Stop sign by Steam Fitters, there are branches covering it. Chief Miller recommended that Phyllis call Jackson Township to let them know you cannot see the Stop sign. Bob reported that the “Slow” signs were installed on Jackson Street and by the Canoe Launch. The trailer bid openings will be on August 6th at 11:00am. Cath Rape inquired if parking on German Street was allowed, during the concert people were parking on the righthand side coming up the hill on German Street from Dambach’s to Main Street. Greg Such asked Larry to look at the Ordinance about parking on German from Main to Dambach’s. Bob reported that Penn Dot is aware of the crack on the Rt. 68 bridge. Don Sims commented that it is in the abutment. Cath Rape inquired about the hole in front of her house. Bob Leonberg commented that he talked to Autumn at WBCA and it may be a lateral, WBCA is looking at it.

Zoning and Codes:

Larry Reynolds reported that Mr. Mantia has done almost nothing, Larry will send another letter on the 15th he has 30 days, after August 15th the Borough can start fining him. Jason Sarver inquired if the ordinance allows for a daily fine. Some municipalities give a range, and then if it is not followed a daily fine is issued. Jason commented that the daily fine motivates the owner to do something. Larry Reynolds commented that he believes it is 7 days. Dave Szakelyhidi commented on the outside of the building, we have a dilapidated building ordinance and the

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Zoning and Codes Cont.:

IPMC Building Code. Greg Such commented that the Borough issued a Condemnation Notice, it wasn't condemned because Mantia came back with a lawyer. Cath Rape inquired if the County said to forget it, fight it yourself. Greg Such responded that he doesn't know the answer to that, Matt was talking to the County Attorney. Solicitor Matt lost cell service. Larry also reported that all apartments have been inspected and passed except for some of Murray's. There are about 11 apartments that failed because of missing GFIs; Murray wanted to do GFI breakers, which is fine but Larry has not heard back from Murray, he has until July 8th. Greg Such commented that he's done changes to other apartments, keep working with them.

Engineer Report:

Engineer Tom Thompson reported that the re-routing of our storm sewer location has been finalized and are waiting for additional survey data to come in for the submission of the GP4 Permit to get all relocated, it could take 60-90 days for the permit. The contractor has been contacted and is aware of the relocation. Tom reported that the RACP Project is ready to go, waiting for the Penn Dot Permit for Zelig. Tom Thompson also reported on working with the County on the DCNR Grant for the Parks Board Project.

Public Safety:

Phyllis Metz had nothing new to report.

Business Development:

Cath Rape reported the US Liner was sold, she and Greg (Such) are having a meeting on 7/17. It is a company from Canada, they signed a 10-year lease for the building, it will be US Liner LLC. Phyllis Metz reported that the HR Manager is Christy Bench. Cath also reported that she is trying to have HBA find a spot to store the sandbags and inquired if there is room in the Borough garage. Greg Such responded that he doesn't think we should keep them, the sandbags should be where they will be used. Cath Rape will call Michelle Myrter, there is a possibility they are buying the building across the street and may have a place to store the sandbags. Larry Reynolds commented that FEMA is not responding regarding the parking lot for Myrter and inquired if anyone had a solid contact for FEMA. Larry will keep leaving messages for FEMA.

Personnel:

Jason Sarver had nothing to report.

Finance:

Joe Dippold had nothing new to report.

Streets:

Frank Luek inquired what caused the sinkhole on Division Street. Bob Leonberg responded that there wasn't a good base.

Facilities:

Dave Szakelyhidi had nothing new to report.

Grants:

Greg Such had nothing new to report.

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Solicitor Matt Racunas commented on Dave Szakelyhidi's comment about the IPMC and dilapidated building ordinance regarding the Mantia property. Matt stated that the Mantia situation is that our two ordinances cover exterior repairs, the original issues we had were concerns about the foundation along with out exterior issues. We had an Engineer look at that and tell us there were no problems with the foundation of the building, that it was structurally sound; that was several years ago, but that could be an issue in terms of condemnation. Any owner would have an opportunity to conduct the repairs to fight the commendation, Larry had produced a bunch of checklists of violations occurring at the building. Mantia retained a lawyer who said Mantia would fix the exterior issues so the condemnation did not go through. The interior is a totally different situation because of occupancy. The owner would not be able to get the permit for occupancy without doing the necessary repairs on the interior. We cannot deal with that until someone tries to occupy that building. Jason Sarver inquired if Mantia does not repair the property maintenance issues the Borough has identified, do we cite him and go to court for that, or just send a letter? Solicitor Matt responded that this time we only proceeded through condemnation. The idea was to have the hearing, and try and condemn the building. Jason Sarver inquired if Matt would suggest that since there's no cooperation right now, should the Borough go after all the property maintenance issues that are listed in either the separate ordinance that Dave mentioned and then all the property maintenance issues. Solicitor Matt commented that he thought Mantia's lawyer said they were going to fix everything by the end of July. Larry Reynolds commented that he met with Mantia in May to issue the permit, Mantia stated he needed more time that he couldn't get it done by the end of July and Larry gave him a 90-day permit to get everything done, and he agreed to that; including removal of the man lift, repair of the back stairs, locking the building up, repairing the front, and repainting the whole building; Mantia came before HARB and had his colors approved. Larry commented that Mantia has until August 18th to get the repairs completed. Solicitor Matt commented that if Mantia goes past that deadline that Larry gave, the Borough could either continue with either citations on the individual violations and/or proceed with the condemnation.

Cath Rape inquired about the thistles at Swampoodle Park. Greg Such suggested putting black plastic down, plants can't grow without light. Frank Luek commented that they would get a roll and see if it works.

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 **\$13,590.85**

Payroll in the amount of **\$11,479.80**

General Bills Already Paid in the amount of **\$20,442.43**

Fire Tax Bills Payable in the amount of **\$341.43**

Parks Board Bills Payable in the amount of **\$1909.01**

Parks Board Bills Already Paid in the amount of **\$930.00**

Frank Luek commented on the \$459.00 Right-to-Know for Hulings, when will it end. Joe Dippold commented that the County had to hire additional staff for Right-to-Know requests.

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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.

Adjourned: 8:00pm

As there was no further business to discuss, the Harmony Borough Council adjourned the July 2, 2024 In-person and Zoom virtual meeting at 8:00pm. In a motion made by Don Sims and seconded by Jason Sarver, the Harmony Borough Council meeting was adjourned.

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

June 2024

As per the request of Cathy Rape, I visited the residence on Spring Street that was issued a permit to replace an existing picket fence. The new fence replaces an old fence in the exact same footprint.

Stopped by Borough Hall to pick up additional permit applications. Attended HARB Meeting. Provided Michelle of Center of Harmony her permit for new sidewalk. Gave Sam Hopkins permit application for his new signs.

Attended Council Meeting

Met with Spenser Faruquee to discuss final plans for his second story addition to be built on columns due to flood zone restrictions. Completed all paperwork for permits and Tom McCosby inspections.

Reinspected Joseph O'Reilly's two apartments and passed both. Prepared and sent letter and certificate to Amy

Prepared a reminder letter to Pat Murray in reference to his numerous apartments that need inspecting by 7/08/2024. Sent to Amy to put on letterhead.

Emailed back and forth with Chris Good in reference to any required permits. Visited site at 217 South Pittsburgh Street.

Spoke with Pat Murray to clarify the requirements for GFCI's in his apartments. I reminded him that the deadline is July 8th.

Received a call from Johan Melo to set up appointment to review his plans for a new deck.

Spoke with Chris Good as to having his business registered at his home on South Pittsburgh Street. Since no business will be conducted on the premises, no permits are required.

Met with Johan Melo at 772 Spring Street to review the design of his 29' by 17' deck at the rear of his house. Made a couple of suggestions to improve the design and issued permits to proceed.

I-79 Meeting Rescheduled to 6/19

Attended I-79 Forecasting Meeting in Cranberry. Prepared and sent a report of the meeting to Amy to forward to members of the Council. Created a Reminder Letter for Ron Mantia and sent to Amy.

Created a Reminder Letter for two landlords. Sent to Amy. Stopped at Borough Hall to sign the letters

Met with Morgan Adamson at 758 Spring Street to discuss driveway on a paper street. She questioned her rights to own the property and what was the Borough's plans for the street.

Received a question as to the truckloads of dirt being dumped by Mr. Eppinger on Spring Street. Visited the site and determined that they were filling in the area of a demolished home. I inquired as to if a permit was issued to demolish the home. I could not find any such permit. Since we have no ordinance as to moving dirt, no permit is required.

Visited Bill Thomas at 735 Spring Street to inspect the replacement fence on his property. The new fence is in the exact location as the previous fence.

Soke with Dana Batykefer as to required permits for a new business going into 528 Main Street. Since she will not be doing any structural modifications and only additional signage, she only needs permits for the signs. She will get back to me when ready.

Inspected footings and structure of elevated deck at the rear of 772 Spring Street. Approved the construction to proceed with the decking.

As per her request, I reinspected Melissa King two apartments and passed both.

Respectfully submitted,

Larry A. Reynolds
Code Enforcement/Zoning Officer