

October 1, 2024

HARMONY BOROUGH Council Meeting October 1, 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

Kevin Behun

Melanie Dodson-ZPD

Sarah Hancher

Bob Leonberg

Matt Racunas

Larry Reynolds

Tom Thompson

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CALL TO ORDER:

Council President, Greg Such called the October 1, 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 Don Sims and seconded by Jason Sarver, the Harmony Borough Council unanimously approved the September 3, 2024 Council meeting minutes.

SOLICITOR'S REPORT:

Solicitor Matt Racunas reported that the time and date for Trick or Treat needed to be set. In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved Trick or Treat to be held October 31st from 6:00 to 8:00PM. Solicitor Matt reported that the fire department has 4 parcels of property and are interested in trying to sell those to the Rogers Brothers. When pooling the titles, it was discovered that the 1979 deed had a reversionary clause that states that if the parcel is not used for fire company purposes, then it would revert back to the Borough. The fire department have asked that the Borough would execute a new deed that would basically remove that reversionary clause that would allow them to move forward with the closing to sell that property to the Rogers Brothers. Sarah Hancher, Solicitor for the Harmony Fire District reported that this is a sale that's been contemplated for some time, in 2019 the Harmony Fire District signed an option for the Rogers Brothers to purchase the fire building. Combining the 4 parcels that make up that property isn't done until the sale was closer. With the new building being done, we're ready to do that transaction. There is just one correction on what Attorney Racunas mentioned, this was not property from the Borough. This was property that was donated or bought from the railroad, the Western Pittsburgh and the Scully Hill Railroad. The area in question is not all of the properties that make up the Fire District property, it is just a small part of on parcel. It was discovered that this document, from 1979 shows a reverse to the railroad, to the fire department, and if never used for fire purposes, it could revert to Harmony Borough. We have reason to believe that this was considered by Council, back in the eighties, and voted on and voted to be rescinded. However, there is not an easy way to search, without going through every single minute of every month of minutes for a number of years. We had hoped that we would get cooperation from Council and wanted to come before you guys tonight. Kevin Behun, President of the Fire District is here as well. Greg Such asked for a motion to discuss. Dave Szakelyhidi motioned and Frank Luek seconded the motion to discuss. The council voted to execute a new deed to remove the reversionary clause. The vote was unanimous, with the exception of Joe Dippold who abstained.

BOARD REPORTS/APPOINTMENTS:

Appointments:

Greg Such reported that no appointments were needed.

Southwest Butler County Council of Governments (SWBC CoG):

Dave Szakelyhidi reported that he attended the meeting, which discussed the on-going finances and operations of the Fire District.

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Southwest Butler County Council of Governments (SWBC CoG) Cont.:

Dave Lewis from the Federal Agency talked about grants, mostly for the Police and EMS. Joe Dippold inquired if the EMA was discussed, Dave responded that the EMS Lead is still up in the air.

HARB:

Dave Szakelyhidi had nothing new to report.

Harmony Water Authority:

Dave Szakelyhidi reported that hydrant flushing will be Thursday, Friday and Saturday, October 10th, 11th and 12th. Dave also reported that the water plant now has enhanced security with lights and cameras. The Grove and US Liner have paid back bills, the Water Authority lost \$20,000 from each company that filed bankruptcy but the new companies are paying.

Parks Board:

Susie Altemus reported that they are gearing up for the Silvester.

Library Board:

Frank Luek reported that the Apple Fest (ZelienApple) at Sippel Park was a success.

Planning Commission:

Larry Reynolds had nothing new to report.

WBCA:

Greg Such reported that work continues on the Administration building and the new processing plant. Almost all easements have now been gathered for the new Harmony pump station.

Shared Services:

Bob Leonberg reported that limb pick-up ended on September 12th.

Parking and Signage:

Greg Such reported that he talked to Chris Rearick about the Local Deliveries Only sign, Chris will look into it.

Historic Harmony:

Frank Luek reported that the renovation of the building is nearing the end, they do not know whether they will get the exterior painted this fall or if they will wait until spring. Frank also reported that the Christmas Market planning is underway.

HBA:

Cath Rape reported that Sleepy Hollow Festival will be October 12th and 13th from 10:00AM to 4:00PM, Haunted Harmony will be October 26th from 4:00 to 9:00PM. December 4th and 11th will be the Shopping Stroll, stores should be open between 4:00 and 8:00PM. Bottlebrush has monthly art shows at Shu Brew, it highlights something different every month. The Neff Haus and Popkins Magical Popcorn will be closing November 10th. The next HBA meeting will be tomorrow night (Oct. 2nd) at Linden Tree at 6:30PM. Joe Dippold inquired if there was any discussion on the sandbags, Cath suggested Joe bring it up at the meeting tomorrow night.

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Other Meetings:

Greg Such reported that October 8th at 2:00PM is the Commissioners Communications meeting, October 9th at 1:15PM is the Stormwater meeting, and October 12th from 2-7:00PM is the Fire District Open House.

PUBLIC COMMENT:

No Public Comment

BOROUGH STAFF REPORTS:

Police Report:

Report submitted via email.

Officer Melanie Dodson reported that the ZPD are getting new cars and two fully equipped bicycles. You have to be certified to operate the bicycles, we have 2 officers at the city of Pittsburgh Police Academy this week in training. The bicycles will be used during events.

Office:

Amy Brown reported payment was received for the damaged street signs on Mercer and Old Little Creek.

Borough Director of Operations:

Bob Leonberg reported that they finished limb pick-up, Voelker was in and paved the two sinkholes that we had over the summer and where the water leak was. Melanie was at the water plant for two weeks of training. Got the leaf machine out, leaf pick-up starts October 14th and runs until November 21st. Bob commented that there was discussion about getting a hot box but he hasn't seen any big potholes. Bob also reported that they painted "Stop" on Pittsburgh Street at Fox's Pizza.

Zoning and Codes:

Larry Reynolds reported that the four permits for WBCA, the 3 road opening permits and the pump station permit, have been finalized. Larry explained that at the completion and approval of the finished road opening half of the bond will be returned, six months later the remainder of the bond will be returned. The two road opening permits for the gas company have been issued, Larry did not charge for the lawn openings, that is not covered in any of our ordinances, but he did let them know that if we get complaints from the homeowners, that they will have to come back and refill it. Larry also reported that Mr. Mantia continues along, he is up to letter number 13, and tomorrow will be letter number 14. Letters are sent via regular mail and a copy emailed to his attorney, the attorney has not acknowledged receipt or returned the read receipt. Larry reported that he has not be able to get a hold of the magistrate. Solicitor Matt suggested talking to the Magistrate's office staff, let them know the number of daily citations that you would like to pursue civilly and ask what you need, which complaint form, schedule a hearing and keep them going, we will do them in 10-piece chunks. When you get notice of the day, let Matt know. Larry commented that Mr. Mantia was unclear about what color he was going to paint the building because I keep saying it must be painted according to HARB. HARB got back to me and I gave Mr. Mantia a copy of the Certificate of Appropriateness that HARB had already approved four months ago. Frank Luek inquired if it would make any difference if it was mailed to Sandy (Mantia). Solicitor Matt responded that it shouldn't. Dave Szakelyhidi inquired how the Water Authority gets paid for the water lien. Solicitor Matt commented that is separate, if we want to go after him on the water, that is something we would have to pursue legally through a separate cause of action. Dave Szakelyhidi commented that 'there's no water service in there for

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Zoning and Codes Cont.:

probably 30 years, no electric, no sewer for probably 30 years; in my humble opinion that building is not fit for human occupancy.' Solicitor Matt commented that there is no occupancy. This is dealing with the exterior of the structure; what Larry's citations are related to are the exterior sort of facade.

Engineer Report:

Engineer Tom Thompson reported on the Stormwater Project updated easements were sent to Zach (Union Brothers), he is reviewing it. There is a meeting with the Voegtlys to review, and then the easement can be signed off and recorded. Small Parts will go with it. Once we have the final layout, we'll go back to them and just explain what is happening. With that said, we're looking at whether there may be a sanitary sewer conflict going out to the street. Zach was able to point us in the right direction where that is, and I'm guessing it is shallow. We may be okay to go underneath it, but we need to change pipe size or something to make that work. So that's the only missing piece. SET is interested in getting started, and I would anticipate them starting on the other portions of the project to get that moving along so we'll start to see some activity form. Mayor Cath Rape inquired if they could start on Dambach. Tom Thompson responded the only issue with Dambach's side is the railroad. We need approval from the railroad for a little piece. Tom Thompson also reported on the RACP project that we are still waiting on PennDOT to release the permit for the Zelenople Street Project. We haven't heard comments, anticipating that is a good thing, but once that comes in, we should be good to go and get that project moving forward. Tom reported that the Borough Building Park project plans have been submitted in DCNR for review, once they come back, we can move forward with that project.

Cath Rape commented that she heard Jackson Township wants to put housing in Swampoodle, and that there is already a plot laid out.

Public Safety:

Phyllis Metz reported that she received an updated Event Form for Sleepy Hollow. They originally wanted to just close both ends of Wood Street for an hour, but they decided that they wanted to close the whole street for both days during the festival. They are going to put food trucks on Wood Street. Greg Such commented that there has to be room for a fire truck to get through, the street is 20-foot wide, you have a 12-foot fire truck and an 8-foot food truck, the math doesn't work very well. Kevin Behun commented that festivals often have some type of EMS need and trying to get an ambulance through, is just as difficult and far more likely than a fire truck. Greg Such suggested to go back and see if there is another plan they can do, no obstructions on the street. Frank Luek inquired if they could put the trucks in Wood Street Park. Greg inquired if they were going to put the grass back if it is torn up. Phyllis will talk to MJ, adding that it's okay to close the street but not blocking the street.

Phyllis Metz also reported that Greg Peffer who is having a Walk for Wendy on October 27th. He submitted his Certificate of Insurance; it was already approved pending the COI.

Greg Such reported that initially he was contacted by Kevin Behun inquiring if the Borough would be interested in the old fire siren. Mark Rodgers now owns the fire siren. Solicitor Matt Racunas commented that he has a municipality that is in need of a siren. Joe Dippold will have Mark Rodgers reach out to Solicitor Matt.

Business Development:

Cath Rape inquired if the 4' x 6' banners that were made for the fire company should be kept, the other side could be used. Cath will roll them up and keep them upstairs. Cath also inquired if a newsletter could go out by possibly the end of November so we could include December, and

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Business Development Cont.:

maybe the first 4 months of the year. Cath also thanked Susan Franz, Kristen, and Karen and Jack Shaw for all the watering of the flowers in the Square. Cath also thanked Bob and Melanie for moving the sandbags, they saved her a lot of work. Dambach's donated a tarp to cover them. Cath also reported that the school contacted her, they want to have Community Grown Day at the end of May, we need to think about some projects that we want to maybe get done at that time. The teachers want to do a volunteer day on January 20th, not sure how many teachers each Borough will get, but we have to come up with a task. It was suggested the windows and the blinds in the Borough building be cleaned.

Personnel:

Greg Such reported the 2025 estimated MMO amount is \$52,790. That is the minimum obligation for 2025 for the pension funding. That was emailed out to Council, it had to be announced on/before September 30th and in the minutes. There is a second MMO for the Defined Contribution Plan, the estimated MMO amount is \$29,137.

Finance:

Greg Such reported that we had to draw the Butler County Infrastructure Bank loan. We sent that paperwork in last week; it was due before today. The money will go into our General Fund. We just need to watch that, and then we'll determine where to put it where it hopefully gets a little interest before we use it, which will be by the end of the year. Greg Such also reported that we need to ratify the vote to put in an additional application for \$200,000 for infrastructure fund grant money. That is the money that was left over from the earlier grants, we put in an additional application because the prices went up on materials. In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved the application of additional \$200,000 MIP Grant.

Streets:

Greg Such reported that a motion is needed to ratify the paving patch of the two sink holes in the amount of \$1,800. In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved the paving patch in the amount of \$1,800.

Facilities:

Greg Such reported that we are supposed to upgrade our website to be ADA accessible, this has to happen by June of next year. Our website provider has been sending emails asking if they can start on this, it will be \$1,100.00 to upgrade our website. Solicitor Matt reported that the Borough can be sued if we do not upgrade to make our website ADA compliant. Greg Such reported that there is a widget that they give to the website, it may make the font bigger, or it may audibleize text on the website. In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved upgrading the Borough website to be ADA compliant, by the website provider in the amount of \$1,100.

Grants:

Greg Such had nothing new to report.

Training & Conferences & Correspondence:

Listed on the Correspondence List.

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Training & Conferences & Correspondence:

Greg Such reported that there is a Municipal EMA Training on October 12th, in Slippery Rock. There are also two remaining Butler County Local Government courses that they County DCED and Local Government Academy are providing if anybody is interested in attending those.

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 **\$58,722.27**

Payroll in the amount of **\$8,197.00**

General Bills Already Paid in the amount of **\$21,290.72**

Parks Board Bills Payable in the amount of **\$110.00**

Parks Board Bills Already Paid in the amount of **\$27,925.00**

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.

Greg Such called for an executive session at 7:59PM, out of executive session at 8:04PM.

In a motion made by Frank Luek and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to release Employee #19 from employment.

Adjourned: 8:06PM

As there was no further business to discuss, the Harmony Borough Council adjourned the October 1, 2024 In-person meeting at 8:06PM. In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council meeting was adjourned.

Respectfully Submitted,



Amy Brown, Recording Secretary

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

September
2024

Received a call from Josh Nicholas with questions concerning expanding the home at 407 Grandview Avenue. We arranged to meet at the site on 9/04. Received a call from Daniel Baker of Bartlett Signs. He was requesting permits for sign for the O'Reilly Store on Perry Highway. I explained the has to contact Jackson Township. I gave him the name and number to call. Attended the Council Meeting.

Met with Mr. Bob Stamm of Armstrong Cable to discuss the installation of Fiber Optic cable along Seneca Drive, Harmony Heights and Meadowbrook Lane. The project will not involve opening any roads. They will use directional drilling and a vibratory plow to run from Cable Box to Cable Box. They will reseed the disturbed lawn areas. Provided Mr. Stamm with the required Permit Forms. He will get back to me with the estimated costs and we will meet at Borough Hall to issue the Permits. Met with Josh Nicholas at 407 Grandview Avenue to go over his plans to add a 20' x 20' garage attached to the house as well as possibly add a second floor to the house. His grandmother owns the vacant lot next door which he would have to acquire a strip to build the garage. We discussed many possible solutions to his problem. He must get a plat of the property as a first step.

Received a call from Mr. Rick Whelan in reference to 207 North Charles Street. He questioned if the house could be expanded. I explained that the house could go up and back but not on either side or forward. I also passed on the information that the site was just allegedly sold.

Received a call from the Roger Brothers asking me to walk through the old Fire House on Wednesday 9/11. Received an email from Mr. Steve Higgins, UCC Building Inspector of PA Department of Labor & Industry requesting a listing of all Harmony Borough Commercial New Building Permits, Alterations, Additions, Tenant Fit-Outs, etc. I forwarded a copy to Greg Such, Matt Racunas and Amy. Spoke with Greg Such as to the Fire House and Mr. Higgins email. Spoke with Bob Stamm of Armstrong Cable and he provided me with the costs for the cable project and I quoted him the required Permit Fees. We agreed to meet at Borough Hall to issue the Permits.

Prepared the Mantia Fine Letter. Emailed copy to Matt Racunas for his input to make sure that it will stand up in court.

Met with Mr. Bob Stamm of Armstrong Cable at Borough Hall to finalize the permits for the installation of fiber optic cable along Seneca Drive and Harmony Heights.

Received a call from Mr. Rick Whelan as to 127 Jackson Street in the FEMA Flood Zone. I went it Borough Hall to inspect the FEMA map discovered that the property was on the very edge of the Flood Zone. Received a call from Abby Bennington of 448 Liberty Street requesting an Alarm Permit. Visited the site to give her the permits. Received a call from Mr. Mantia requesting that I stop by his property to inspect the progress he has made. He had a Hydraulic Repair Service working on the manlift so he could get a flat bed in to haul it off. I also saw a couple of pieces of trim wood out front, not installed. Stopped by Borough Hall to pick up Permit Forms.

Met with Mark Rodgers at the old fire house to walk through the building to determine if there were any visible problems prior to Rogers Brothers taking position of the building. I found none and reported such to Mr., Rogers. Stopped by Borough Hall to research information on 448 Liberty Street. Met Mr. Bob Stamm of Armstrong Cable with checks at Borough Hall to finalize the Permits for new fiber optic cable along Seneca Drive and Harmony Heights.

Toured the Mantia Property to observe any progress. Prepared the 1st Mantia Violation Letter and sent to Amy. Stopped by the office to sign the letter

Toured the Mantia Property to observe any progress. Prepared the 2nd Mantia Letter and sent to Amy. Stopped by the office to sign the letter

Spoke with Mr. Dryer who is attempting to build a new deck on the back of his house. I looked up his address and discovered the property is in Jackson Township. I gave him the name and number of the Jackson Code Officer. Toured the Mantia Property to observe any progress. Prepared the 3rd Mantia Letter and sent to Amy. Stopped by the office to sign the letter

Toured the Mantia Property to observe any progress. Prepared the 4th Mantia Letter and sent to Amy. Stopped by office to sign letter

Toured the Mantia Property to observe any progress. Prepared the 5th Mantia Letter and sent to Amy. Stopped by office to sign letter. Received a complaint in reference to the political sign on Robinson Fan's property along Route 68. I left a message for the General Manage to call me.

Toured the Mantia Property to observe any progress. Prepared the 6th Mantia Letter and sent to Amy. Stopped by office to sign the letter. Received a couple of complaints referencing the large political sign on Robinson's property on Route 68. Visited Robinson and met with Ms. Tricia Staible, President of Robinson. She claimed to believe that they were allowed to put up any sign the wished. I gave her a copy of the Harmony sign ordinance and requested that she obtain a permit for the sign.

Toured the Mantia Property to observe any progress. Prepared the 7th Mantia Letter and sent to Amy.

Toured the Mantia Property to observe any progress. Prepared the 8th Mantia Letter and sent to Amy. Stopped by the office to sign the letters. Received a request from Mr. Mantia to forward all Violation Letters to his attorney, Gretchen Moore. I emailed all seven letters to her. I prepared the final draft of the Sanitary Sewer Street Opening Permits and Fees for Amanda Lee. Forwarded a copy to Greg Such, Matt Racunas, Tom Thompson and Don Simms asking for any corrections or additions.

Toured the Mantia Property to determine if there has been any progress. Prepared the 9th Mantia Letter and sent to Amy and Gretchen Moore, his attorney. Prepared a sign permit for Robinson Fan and dropped it off the Tricia Staible, President. Completed the Peoples Gas Road Opening Permits and emailed to Amy to put on Letterhead.

Toured the Mantia Property to observe any progress. Prepared the 10th Mantia Letter and sent to Amy. Stopped by the office to sign the letters. Emailed a copy of Mantia Letter #10 to Ms. Gretchen Moore, his attorney. Completed all four of the WBCA Permits with the additional information from Tom McCosby. Emailed to Amy the final WBCA letter and dropped the four applications off to Amy to include in the package. Spoke with Armstrong Cable people who are beginning the layout for the new fiber optic cables along Seneca Drive. Called Mr. Joseph O'Reilly to remind him for the 4th time that he has not paid the Apartment Inspection Fee. He promised to get a payment out by the weekend.

Toured the Mantia Property to observe any progress. Prepared the 11th Mantia Letter and sent to Amy. Stopped by the office to sign the letters. Emailed a copy of Mantia # 11 to Ms. Gretchen Moore.

Stopped by the office to sign the WBCA Letter and pick up a copy of the HARB Mantia Paint Permission to drop off to Mr. Mantia. Mr. Mantia stated that he needed much more time to complete the repairs and paint the building.

Toured the Mantia Property to observe any progress. Prepared the 12th Mantia Letter and sent to Amy. Stopped by the office to sign the letters. Emailed a copy of Mantia # 12 to Ms. Gretchen Moore. Received a call from Mr. Stan Zimmerman of Fox's Pizza questioning the circle painted on his property. I explained that the new stop line and word stop were an attempt to avoid placing an actual stop sign on the corner of his property. Time will tell if moving the stop sign will become necessary. Spoke with Mr. Pat Murray in reference to \$680.00 in Apartment Inspection Fees still not paid. I emailed him copies of all the past due invoices and he promised to pay them shortly. Prepared my time sheet and Code Report for Amy. Attended the HARB Meeting

Respectfully submitted,

Larry A. Reynolds
Code Enforcement/Zoning Officer