

**MINUTES OF DUBLIN BOROUGH  
COUNCIL MEETING  
MONDAY, MAY 14, 2018**

- 1. CALL TO ORDER:** The May 14, 2018 meeting of Borough Council was held in Borough Hall at 119 Maple Avenue, Dublin, PA. Council President, Jeffrey Sharer called the meeting to order at 7:30 p.m.

**ELECTED OFFICIALS PRESENT:**

Mayor:	Chris Hayes	
Council:	Jeffrey Sharer	Brent Smith
	Matthew Mayes	Gary Mast
	John Sherer	Kent Moore
	William Benonis	

**APPOINTED OFFICIALS PRESENT:**

Borough Manager:	Angela P. Benner
Borough Solicitor:	Michael Kracht, Esq.
Borough Engineer:	Thomas F. Zarko, P.E.
Police Chief:	Michael Regan
Fire Chief:	Kevin Nugent*
Emergency Management Coordinator:	M. Philip Myers

\*Not Present

\*\*Late Arrival

- 2. Pledge of Allegiance:** Mr. Sharer lead the Council and audience in the Pledge of Allegiance.

**3. Council President Announcements:**

- 4. Public Comment on Non-Agenda Items:** There were no public comments at this time.

**5. Approval of Minutes:**

**5.1. Minutes of Meeting of April 9, 2018:**

**MOTION:** A motion was made by Mr. Mast, seconded by Mr. Benonis and unanimously approved to accept the April 9, 2018 Minutes as written.

**6. Payment of Bills:**

**6.1. Bills List dated April 19, 2018 for \$21,861.31 (all funds):**

**MOTION:** Upon motion by Mr. Moore, seconded by Mr. Smith, the Council unanimously approved the Bills List dated April 19, 2018 for \$21,861.31.

**6.2. Bills List dated May 10, 2018 for \$138,346.31 (all funds):**

**MOTION:** Upon motion by Mr. Mast, seconded by Mr. Smith, the Council unanimously approved the Bills List dated May 10, 2018 for \$138,346.31.

## **7. Borough Official Reports:**

**7.1. Dublin Fire Company:** Mr. Myers presented the Dublin Fire Company report for April 2018.

**7.2. Mayor:** There was no report from the Mayor at this time.

**7.3. Borough Manager:** Ms. Benner presented the Manager's report for April 2018.

**7.4. Chief of Police:** Chief Regan presented the Police report for April 2018.

**7.5. Borough Engineer:** Mr. Zarko presented the Engineer report for April 2018. During his report Mr. Zarko stated that, as directed by Borough Council, he performed a reinspection of existing concrete curb depressions along Meadow Lane, Meadow Circle and Cherry Lane in an attempt to conclusively determine whether the cause of previously identified damage/defects could be related to snow plowing activities previously conducted by Borough contractors. The reinspection was performed on April 30, 2018. Mr. Zarko stated that the cracks that exist are horizontal and they are not consistent with snow removal. Mr. Zarko further stated that the defects requiring replacement do not appear to be related to snow plowing operations and per the Borough Code it is the homeowner's responsibility to replace the curb. There was one property where the property owner had widened driveway and removed their curbing causing an improper transition. Mr. Smith asked how long the curb should last after it is replaced. Mr. Zarko stated that it should last roughly 20 to 25 years. The current curbing is 30 years old and has deteriorated in normal fashion. Mr. Zarko added that his office identified curb that requires replacement based off what will deteriorate and not last the life of the new road.

Council directed the Borough Manager to send out a letter to the affected residents notifying the property owners of the Borough Engineer's inspection. Mr. Mast asked the Manger to also include a couple sentences on how residents can file a complaint in the future with the Borough.

**7.6. Borough Solicitor:** There was no report from the Borough Solicitor at this time.

## **8. Discussion Items:**

**8.1. Award of Trash Hauler:** Ms. Benner presented council with the bid tabulation results from the Borough's Solid Waste, Recycling and Yard Waste Collection and Disposal Bid that was opened on April 4, 2018. Ms. Benner stated that after reviewing the bid documents, the low bidder's submission was incomplete as it was missing the surety document and the PW verification form was incomplete. Ms. Benner added that the second lowest bidder has completed and submitted all required bid documents. Ms. Benner stated that the lowest responsible bidder was Waste Management of Pennsylvania with an annual per unit cost of \$238.56. Ms. Benner recommended that Council award the Solid Waste, Recycling and Yard Waste Collection and Disposal bid to Waste Management of Pennsylvania for the 3 ½ year term for July 1, 2018 – December 31, 2021.

A representative of Whitetail Disposal expressed concern with the statement that their bond is incomplete. Mr. Kracht asked Ms. Benner to repeat what was stated previously regarding incompleteness of the lowest bidder's submission.

**MOTION: Upon motion by Mr. Mast, seconded by Mr. Sherer, the Council unanimously awarded the Borough's Solid Waste, Recycling and Yard Waste Collection and Disposal Bid to the lowest responsible bidder, Waste Management of Pennsylvania for annual unit cost of \$238.56 and a 3 ½ year term that runs July 1, 2018 – December 31, 2021.**

Mr. Mast asked the manager if the residents would see the reduced cost in their next Utility Billing. Ms. Benner stated that the Council would need to make a decision on decreasing the utility billing. Ms. Benner also stated that there appears to be an administration cost calculated into the current quarterly billing and will need to

research how that amount was decided and report back to council. Mr. Smith stated that he would like the manager to analysis the administration costs and report back to the finance committee during budget discussions.

**8.2. Authorization to Advertise Ordinance 316, amending the Park and Recreation Ordinance:** Ms. Benner provided council with the final redline version of the Park and Recreation Ordinance Amendment. Mr. Kracht stated that the ordinance amends to allow alcohol in the park during borough sponsored events insofar as the alcohol consumed is purchased from a vendor duly authorized by the Borough to sell liquor at such event. Mr. Kracht also stated that the ordinance will amend Chapter 6, Section 201 regarding Possession of Open Containers or Consumption in Public to allow for open containers or consumption at a borough sponsored event. Ms. Benner added that the only other difference in this draft of the ordinance verse the other versions they have previously seen adds a limitation to the number of days a week that organized sports can rent a facility.

**MOTION: Upon motion by Mr. Sherer, seconded by Mr. Mayes, the Council authorized Advertisement of Ordinance 316 amending the Park and Recreation Ordinance and Chapter 6, section 201 of the Borough Code.**

**8.3. Authorization to Advertise Ordinance 317, amending Chapter 15 of the Borough Code:** Ms. Benner stated that since PennDOT has authorized the speed reduction from 35mph to 30mph along Main Street and Maple Avenue in Dublin Borough, that Chapter 15 needs to be amended so that the speed limit can be enforced by the Borough's Police Department. Ms. Benner also stated that this ordinance would amend Chapter 15 to increase the penalty from \$25 to \$100 for vehicles left on the road during a snow emergency declaration and for motorist on the road during a declared snow emergency. Lastly, Ms. Benner stated that this amendment would allow for vehicles to be towed during a declared snow emergency, if needed. Mr. Smith asked if there is a problem with vehicles being parked on the road. Ms. Benner stated that this past year there have been a few vehicles parked on the road and she has had to call back out the snow contractor to plow those area's again after the vehicles were removed. Ms. Benner stated that she wanted to have a penalty that was higher than \$25 so that if a parking ticket had to be issued, it would hopefully prevent someone from leaving their car parked in the road during the next event. Chief Regan added that his department will attempt to locate the owner of the vehicle and have them relocate their vehicle to avoid receiving a ticket. Ms. Benner added that it costs the Borough, under the current contract, a little over \$100 to have the contractor come back out and clean up after vehicles that were left on the road. Mr. Moore expressed his concern in the large penalty increase. Mr. Smith proposed that the penalty be changed to \$50 instead of \$100.

**MOTION: Upon motion by Mr. Sherer, seconded by Mr. Smith, the Council authorized Advertisement of Ordinance 317 amending Chapter 15 of the Borough Code as revised to reflect \$50 penalties.**

**8.4. DEP Consent Order:** Mr. Zarko provided background on the current DEP consent order and indicated that it will expire at the end of this year. Mr. Zarko reported that the DEP encourages the Borough continue with efforts to reduce the I/I in the borough and borough staff believes it is prudent to engage in conversations with DEP now to look into a possible extension of the consent order. Mr. Kracht added that Council should have the Borough Engineer start to compose a scope of work for the next five years in preparation of budget season and in advance of discussion with DEP. Mr. Zarko stated that he completed a five-year project projection prior the last two consent order extension. Mr. Zarko stated that staff is meeting with DEP staff to discuss on June 18<sup>th</sup> and will come back to council with feedback from DEP before asking council to make any decisions.

**8.5. Park Rental Waiver Request:** Ms. Benner presented council with a park rental fee waiver request from Deep Run Mennonite Church West has requested Council waive the rental fee for the three nights that they would like to rent the pavilion at Supplee Park for a Free Vacation Bible School Program. Ms. Benner stated that they are asking for the rental amount and security deposit to be waived. Ms. Benner added that she wouldn't recommend waiver of the security deposit. Mr. Mayes expressed concern with setting precedence with waiving fees for non-profits, since sport organizations are non-profits as well.

**MOTION: Upon motion by Mr. Mast, seconded by Mr. Sherer, the Council on a vote of 5-2, waived the pavilion rental fee of \$50.00 per day of rental for the rental period of June 19-21 for Deep Run Mennonite Church West.**

**8.6. Vendor Contract for Community Day:** Mr. Kracht provided council with a contract that was drafted for alcohol vendors at Community Day. Mr. Kracht stated that the contract was based off of recommendations from the Borough's insurance provider Delaware Valley Insurance Trust.

**MOTION: Upon motion by Mr. Smith, seconded by Mr. Mast, the Council on a vote of 6-1, approved the Vendor Contract form as drafted by the Borough Solicitor.**

**8.7. Professional Services Agreement:** Ms. Benner stated that the Professional Services Agreement was submitted along with the required escrow by Mr. Alber of Elephant Road who has submitted a conditional use application, to be present to council at a later date.

**MOTION: Upon motion by Mr. Smith, seconded by Mr. Benonis, Council unanimously authorized execution of the Professional Services Agreement with Mr. Alber of Elephant Road.**

**9. Committee Reports:** Mr. Mast reported that the Community Day Committee met prior to the council meeting to finalize details for the upcoming event. Mr. Mast stated that Matt Snader will be finished installing the flag pole at Supplee Park prior to Community Day and there will be a dedication ceremony at the event. Mr. Mast also stated that the committee has unanimously agreed to present the individual service award to Senator Chuck McIlhinney and to State Representative Kathy Watson and then the organization service award to Point Pleasant EMS.

**MOTION: Upon motion by Mr. Smith, seconded by Mr. Moore, Council unanimously authorized presentation of the organizational service award to Point Pleasant EMS and the individual service award to Senator Chuck McIlhinney and to State Representative Kathy Watson.**

**10. Other Business:** There was no other business at this time.

**11. Public Comment:** Mr. Myers asked if the Borough could contact the owner of the post office driveway to fix the pot holes. Ms. Benner stated she would take care of it.

**12. Comments from Council Members:** Mr. Sharer stated that Council would be going into executive session to discuss personal and litigation matters.

**13. Adjournment:** Upon motion by Mr. Smith, the meeting was adjourned at 9:17 p.m.

Respectfully Submitted,

Date Approved: \_\_\_\_\_

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Angela P. Benner,  
Manager/Secretary/Treasurer