

**MINUTES OF DUBLIN BOROUGH
COUNCIL MEETING
MONDAY, NOVEMBER 12, 2018**

- 1. CALL TO ORDER:** The November 12, 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 7:31 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:

- 3.1. Swearing in of Officer Matthew Sands:** Mr. Sharer swore in Matthew Sands.

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

5. Approval of Minutes:

5.1. Minutes of Meeting of October 22, 2018:

MOTION: A motion was made by Mr. Mayes, seconded by Mr. Sherer and unanimously approved to accept the October 22, 2018 Minutes as written.

6. Payment of Bills:

6.1. Bills List dated November 8, 2018 for \$47,928.82 (all funds):

MOTION: Upon motion by Mr. Moore, seconded by Mr. Benonis, the Council unanimously approved the Bills List dated November 8, 2018 for \$47,928.82.

7. Borough Official Reports:

- 7.1. Dublin Fire Company:** Ms. Benner provided Council with a copy of the October 2018 Dublin Fire Company Monthly Report.

7.2. Mayor: There was no report at this time.

7.3. Borough Manager: Ms. Benner presented the manager's report for October 2018.

7.4. Chief of Police: Chief Regan provided the police report for October 2018.

7.5. Borough Engineer: Mr. Zarko presented the Borough Engineer's report for October 2018.

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

8. Discussion Items:

8.1. Dublin Shopping Center Waiver of Land Development: Scott Homel and his Engineer, Sean McGranahan were in attendance to request a Waiver of Land Development from Council. Mr. Homel and Mr. McGranahan reviewed the CKS Review letter dated November 1, 2018 with Council. Under the Zoning Issues of the review letter, Mr. Homel agreed to comply with items 1 through 6, with the understanding that if A Type B buffer yard would not be provided along the rear property line adjacent to the residential properties then applicant would need to obtain relief from the Zoning Hearing Board.

When reviewing the Subdivision and Land Development items on the review letter, Mr. Zarko stated that as part of the land development process the applicant should provide a development agreement pertaining to the proposed project, which includes posting of adequate financial security for public/site improvements that are to be constructed to the Borough. If council is amenable to waiving the formal land development process for this project, it is recommended, at a minimum, that the applicant be required to post financial security via an escrow agreement, in a format acceptable to the Borough Solicitor, addressing the erosion and sedimentation controls and stormwater management improvements that are proposed as part of the project. Mr. Zarko also stated that in conjunction with the proposed parking lot expansion/rehabilitation project, the applicant should construct the portion of the relief road that is located on the shopping center site, or alternatively offer the required right-of-way area in dedication to the Borough and post financial security, in a format acceptable to the Borough Solicitor, to ensure the aforementioned section of the Relief Road will be constructed in the future. Mr. Smith stated that he does not want to lose the opportunity for the Relief Road through the Dublin Village Shopping Center and he would want to ensure the opportunity to construct the Relief Road at the appropriate. Ms. Benner expressed concern with granting a waiver without the guarantee for the Relief Road. Mr. Zarko stated that an Escrow agreement for all improvements are to ensure those items are constructed properly. Mr. Mast added that the Borough wants to preserve their right to put Relief Road in.

Mr. Homel asked what would be required to escrow for the Relief Road. Mr. Kracht stated that Mr. Homel would need a letter of credit to guarantee the Relief Road. Mr. Homel expressed concern with posting a line of credit for a relief road in perpetuity and added that he would post for with the understanding that the road would only be built when Mr. Loughery completes his project. Mr. Homel also expressed concern with building a road to nowhere, since the Moyer tract has not been developed and there are no plans that anyone is aware of at this time. If the plan for the Moyer Tract changed the layout of the road, it could change the layout for his property. Mr. Mayes stated that if he would build the road first, then he has the choice to put it wherever he wants, so he could drive where that road goes.

Mr. Kracht expressed that the letter Mr. Homel already wrote, stated that he wouldn't guarantee anything until Mr. Loughery escrows sufficient funds to complete the entire project, he would then consider escrowing funds to complete the Relief Road. Mr. Homel stated that he will put in writing that he will commit to 50 % of the relief road when Mr. Loughery has substantially completed construction of his project. Mr. Mayes asked for clarification of what substantial completion meant. Mr. Homel stated it would be 50% of the project.

Mr. Smith stated that Council should come to a consensus on whether or not Council wants to entertain a waiver of land development with Mr. Homel providing construction or financial security for 50%; or if there is a consensus to not entertain the waiver without the guarantee of the whole relief road. Mr. Homel stated that terms and conditions he would want would include speed limit and truck limitation because he does not want his property to be used as a cut through. requested that he is looking for a speed and truck limitation. Mr. Krach asked council for a consensus on if they will grant the waiver of Land Development in exchange for construction for half of the Relief Road, or not grant the waiver until the entire Relief Road is guaranteed. There was a consensus of 4-3 to work towards some accommodation that would include half of the Relief Road being constructed or guaranteed.

8.2. Ordinance 318: Tree and Vegetation Trimming: Ms. Benner stated that Ordinance 318 has been advertised and would require the trimming of trees and vegetation within the Borough and prohibits the planting of certain varieties of trees.

MOTION: Upon Motion by Mr. Smith, seconded by Mr. Sherer, Council on a vote 5-1, approved Ordinance 318 requiring the trimming of trees and vegetation within the Borough and prohibiting the planting of certain varieties of trees.

8.3. Well #1 Generator Installation Bid Award: Mr. Zarko reported that the project involves the installation of an emergency diesel generator, supplied by the Borough, at Well No. 1, including the installation of electrical conduit, wire, circuit breakers and ground rods. Additionally, the construction of a crushed stone generator parking area and installation of a chain link fence and gate are included. Mr. Zarko stated that two bids were received and recommend the awarding the bid to MJF Electrical Contractors, Inc., at the Bid Price of \$28,000.00.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Sherer, the Council unanimously approved the Well #1 Generator Installation Bid Award to MJF Electrical Contractors at the bid price of \$28,000.

8.4. Snow Contractor Bid Award for 1/1/2019 – 5/31/2020: Ms. Benner presented the bid results for the Borough's Snow Contract, stating that only one bid was received from Todd's Total Lawn Care. Ms. Benner stated that, Todd's Total Lawn Care is who the contract was awarded to for 2018 and recommending awarding the bid to Todd's Total Lawn Care for January 1, 2019 through May 31, 2020. Mr. Mayes added that they did a great job last year and are very lucky to have them back again.

MOTION: Upon motion by Mr. Mast, seconded by Mr. Smith, the Council unanimously approved the Snow Contractor Bid Award to Todd's Total Lawn Care.

8.5. Authorization to Advertise UCC Appeal Board Ordinance: Mr. Kracht reported that there is an infrequent need for the UCC Appeal Board. This Ordinance Revises the Required Board from 5 to 3, reducing the chance of not having enough members available for a hearing. The revision will also require Dublin Borough to appoint one member to the Board, whereas now it is only as feasible. Mr. Kracht is asking Council for Authorization to Advertise the UCC Appeal Board Ordinance.

MOTION: Upon motion by Mr. Mayes, seconded by Mr. Smith, the Council unanimously approved to give Authorization to Advertise the UCC Appeal Board Ordinance.

8.6. Authorization to obtain appraisal for sewer easement: Ms. Benner asked Council to authorize hiring Indian Valley Appraisal Company to perform an appraisal for the proposed sewer easement the Reiss property located on Stonebridge Road in Bedminster Township. Ms. Benner stated the price quoted for the appraisal was \$1,500.00.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Sherer, the Council unanimously authorization an appraisal to be completed by Indian Valley Appraisal Company in the amount of \$1,500.00.

8.7. Sellersville Borough Fire Police Request: Ms. Benner stated that Sellersville Borough has requested the assistance of the Dublin Fire Company Fire Police for their Saint Patrick's Day Parade.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Moore, the Council unanimously approved the authorization to Request Fire Police for Sellersville's St. Patrick's Day Parade.

8.8. Well No. 2 Rehabilitation Project: Mr. Zarko stated that one remaining capital improvement project to be implemented in 2018 involves the condition evaluation and subsequent pumping equipment replacement within the Borough's Well No. 2. The well condition evaluation was previously completed, and a minor problem with the well was identified that needs to be addressed. The contractor that performed the initial well evaluation provided a proposal to resolve the reported problem within the well and replace the pumping equipment. Mr. Zarko stated that his office has reviewed the proposal and recommends that the Borough authorize A.C. Schultes, Inc., to perform the Well No. 2 Rehabilitation Project at the proposed minimum amount of \$9,515.00, not to exceed \$10,800.00.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Sherer, the Council unanimously approved the authorization to hire A.C. Schultes, Inc., to perform the Well No. 2 Rehabilitation Project at the proposed minimum amount of \$9,515.00, not to exceed \$10,800.00.

9. Committee Reports:

9.1. Finance Committee: Ms. Benner stated that the finance committee has been meeting prior to each Council Meeting since August 13, 2018 to discuss the proposed budget for 2019. Ms. Benner stated that the proposed budget reflects an increase in Debt Service for the Sewer Capital Fund, Water Capital Fund and Street Improvement Fund. Due to the amount of Capital Improvements needed over the next five years, the Borough will need to borrow these funds. The Borough is forecasting approximately \$4.4 million to borrow with repayment over a twenty-year period. If the 2019 Budget is adopted as proposed, the Finance Committee would begin the borrowing process in early 2019. The Debt Service will require an increase in both property taxes and sewer rates. Ms. Benner added that fund balances continue to reduce due to increases in unfunded mandates like new regulatory fees for water and sewer, cost of equipment, materials and operational items.

Ms. Benner stated that the Finance Committee is proposing a 3 mil increase to property taxes raising them from 18.25 to 21.25 mils. 1.5 mils will be dedicated to debt service related to road improvement programs over the next couple years. Proposed paving projects for 2019 include Meadow Lane, Meadow Circle, Rickert's Road (Hilltown side of 313) Mill Street and Parkside Drive. Ms. Benner stated that the Finance Committee is also proposing to pave the Village Greene Development, Stallion Court and Saddlebrook Drive from Rickert's to Trotters Way in 2020.

Ms. Benner stated that due to the cost of the projected Sewer Capital Projects and Debt Service over the next five years, the Finance Committee is proposing a \$40.00 annual increase to the current Sewer Fee \$620.00. An increase of \$10.00 per quarter. The increase in the Sewer Rate will be dedicated to the Sewer Fund. The proposed capital improvements are associated with the PA DEP's Consent Order and Agreement to reduce inflows and infiltration into the sewer system. The Borough is in the process of extending their Consent Order & Agreement (CO&A) with PADEP for another five (5) years. The current agreement is due to expire at December 31, 2018. The extension outlines the proposed capital projects to be completed over the next five years. Projects include relining of the lagoon at the sewer plant, improvements to the Kern Drive Interceptor, Twin Oaks Pump Station and Sewer Treatment Plant.

Ms. Benner added that the Finance Committee is not proposing an increase in water fees. The base rate fee for each unit of water established in 2013 continues to provide \$79,644 annually. In addition to the base rate, the gallon usage fee remains at \$3.70 per 1,000 gallons of water used. The finance committee is proposing to borrow for some capital water projects, like the repainting of the water tower, while utilizing the existing reserves for other capital water projects.

Ms. Benner stated that the Borough is anticipating the Dublin Town Center Development Project to be submitted early 2019. This project is proposed to include approx. 80 new town homes, 15,000 square foot medical building for GVH; 12,000 square foot mixed use building; and construction of the relief road off of Elephant Road. Ms. Benner stated that the proposed project is not increasing costs to the Borough at this time and is in no way causing the needed repairs, upgrades, or Consent Order Projects & Inherent borrowing costs or tax/rate increase.

Ms. Benner stated that there are no new staff positions in the proposed budget, as staffing levels are adequate to maintain Borough services. There are also no staff reductions. The Budget will be before council for authorization to advertise at the next Council meeting on November 26, 2018.

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

11. Public Comment: Carol Shultz stated that Mr. Homel has been coming before Borough Council and he has been dishonest with them for 20 years. She stated that he hasn't changed.

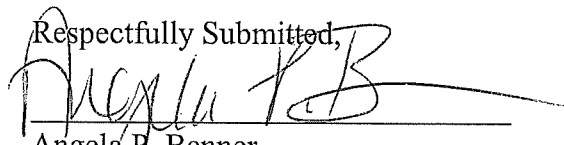
11.1. Mr. Knisley asked if the crosswalks that require repair could be worked on at night so that there would be less impact on the businesses. Mr. Zarko stated that he would investigate that.

12. Comments from Council Members: Mr. Mast pointed out to Council that there are utility account holders that previously had payment plans that have gone delinquent after coming current from with the help of a payment plan. Mr. Mast stated that they shouldn't be allowed to execute a payment plan again or get a break. Ms. Benner added that Council should consider revising the utility ordinance, so that the Borough doesn't have to go through enforcement for another 395+ days and instead anyone who was previously in a payment plan, should have to be current for at least 2 years. If they go delinquent within that period of time, they go right to shut off.

13. Executive Session: Mr. Sharer announced that Council would be meeting in executive session after the meeting to discuss litigation items.

14. Adjournment: Upon motion by Mr. Smith, the meeting was adjourned at 9:43 p.m.

Date Approved: 11/26/2018

Respectfully Submitted,

 Angela P. Benner,
 Manager/Secretary/Treasurer