

**MINUTES OF DUBLIN BOROUGH
COUNCIL MEETING
MONDAY, OCTOBER 24, 2022**

- 1. CALL TO ORDER:** The October 24, 2022, meeting of Borough Council was held in Borough Hall at 119 Maple Avenue, Dublin, PA. Council Vice-President Brent Smith, called the meeting to order at 7:33 p.m.

ELECTED OFFICIALS PRESENT:

Mayor:	Chris Hayes	
Council:	Jeffrey Sharer**	Brent Smith
	Matthew Mayes	Robert Olsen
	William Benonis	Timothy Hayes
	Philip Kessler	

APPOINTED OFFICIALS PRESENT:

Borough Manager:	Colleen M. Pursell
Borough Solicitor:	Caroline Zook, Esq.
Borough Engineer:	Thomas F. Zarko, P.E.
Police Chief:	Michael Regan*
Fire Chief:	Kevin Nugent*
Emergency Management Coordinator:	M. Philip Myers*

*Not Present

**By Phone

- 2. Pledge of Allegiance:** Vice-President Smith led Council and the audience in the Pledge of Allegiance.
- 3. Council President Announcements:** Vice-President Smith advised that the Finance Committee held a meeting tonight to discuss the 2023 budget. The focus was on capital expenses.
- 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 October 11, 2022:**

Motion by Mr. Benonis, seconded by Mr. Olsen and unanimously carried, the minutes of the October 11, 2022 meeting were approved, as presented.

6. Payment of Bills:

6.1. Bills List dated October 24, 2022 in the amount of \$199,103.00 (all funds):

Motion by Mr. Mayes, seconded by Mr. Timothy Hayes and unanimously carried, Council approved the bills list dated October 24, 2022, in the amount of \$199,103.00.

Ms. Pursell added that the bills list includes the payment of \$59,974.00 to Chapman for the new police car which was paid from the ARPA Funds, as previously discussed. Mr. Mayes asked how much money is remaining in the ARPA Funds. Ms. Pursell advised that to date, the available balance is \$102,541.30. She did note that the balance after the 2022 budgeted allocations are made is \$77,686.30, which needs to be spent by the end of 2024.

7. Discussion Items:

7.1. Resolution 2022-10: Appointment of Borough Solicitor: Ms. Pursell informed Council that Mr. Michael Kracht retired and Ms. Caroline Zook, Esq. of Weber, Kracht & Chellow needs to be officially appointed as Dublin Borough Solicitor.

Motion by Mr. Benonis, seconded by Mr. Mayes and unanimously carried, Council approved the appointment of Caroline Zook, Esq. of Weber, Kracht & Chellow as Borough Solicitor.

7.2. 144 N. Main Street – Time Extension Waiver: Ms. Pursell stated that Council received an extension waiver for the 144 N. Main Street project. The waiver extends the time for Borough Council to consider the Application for Preliminary Land Development approval through and until November 29, 2022. In addition, the letter includes a waiver for the Planning Commission and Borough Council to consider the Application for Final Land Development approval through and until February 28, 2023.

Motion by Mr. Olsen, seconded by Mr. Benonis and unanimously carried, Council acknowledged the time extension letter for 144 N. Main Street dated October 18, 2022.

7.3. Consider Award of Contract 1425-15B – Sanitary Sewer Mainline, Lateral and Manhole Relining: Mr. Zarko explained phase two of the 2022 Sanitary Sewer Repair and Rehabilitation project. It includes relining sections of the mainline, sanitary sewer sections and manholes on Elephant Road and within sections of the easements. The total of phase one and phase two bids are 16% higher than the budgeted amount for the project, which he believes is related to supply chain issues. The bids for the second phase were reviewed and Mr. Zarko recommends Standard Pipe Services, Inc., to complete the project at the bid price of \$198,985.00. Mr. Mayes asked if the project will be completed this year. Mr. Zarko would like it completed by the end of the year, but it may go into 2023 because of supply chain issues. Mr. Smith commented that they can spread the funding into 2024 if they need to. Mr. Mayes believes they should budget more revenue for the completion of the project. President Sharer asked Mr. Zarko if there would be an increase in cost because of supply chain issues and if the project would go into next year, who would be responsible. Mr. Zarko assured him the contractor's costs are locked in.

MOTION: Motion by Mr. Benonis, seconded by Mr. Mayes and unanimously carried, Council approved the award of Phase Two - Contract 1425-15B for the 2022 Sanitary Sewer Mainline, Lateral and Manhole Relining Project to Standard Pipe Services, Inc., at the bid price of \$198,985.00.

7.4. Approval of Payment for Reactor Tank A Rehabilitation Estimate #3 - \$93,845.75: Mr. Zarko informed Council this is the third pay estimate for the Tank A Rehabilitation Project at the Borough's treatment plant. This includes all additional costs from issues they found. The "as built plans" showed 38 diffusers inside the tank that had to be replaced, they found 114. Originally, they had submitted \$152,000 in extra change order requests. Mr. Zarko was able to negotiate the extra cost down to \$21,785.00. The final cost of the project will be \$378,455.00, the original cost was \$345,000.00. Mr. Zarko recommends approval of pay estimate #3 in the amount of \$93,845.75 to Dynamic Sandblasting and Painting, LLC for the rehabilitation of Reactor Tank A. The project is now complete and the tank is ready to be restarted. Mr. Smith asked why was the tank not built to the "as built plans". Mr. Zarko believes it was just a mistake on the drawings. Mr. Olsen asked if the drawings can be updated and Mr. Zarko confirmed they will be. Mr. Smith would like to see how they estimated the cost for the first tank with adding the extra items and if they are planning the higher amounts for the next tank. Mr. Mayes asked if the second tank will be the closer to the "as built plans" as the first tank. Mr. Zarko stated they are built exactly the same.

MOTION: A Motion was made by Mr. Mayes and seconded by Mr. Timothy Hayes to award the Rehabilitation Contract of Tank "A" to Dynamic Sandblasting and Painting, LLC, at the bid price of \$93,845.75. The motion unanimously carried.

7.5. Discussion Interconnection Agreement – Hilltown Township: Mr. Gary Mast of Middle Road explained history of the property that Mr. Joe Kozak purchased in 2018. The property consists of eleven acres of farmland on Rickerts Road, where the water is polluted and not treatable. The properties (which are in Hilltown Township) surrounding it are presently hooked up to Dublin water, because of the EPA designated super fund site. Mr. Kozak explained the property is part of Hilltown Townships conservation program.

Mr. Zarko explained to Council that there was groundwater contamination in that area. EPA made an agreement with Dublin Borough and Hilltown Township to provide public water to the properties that were affected by the contamination along Rickerts Road. For some reason this property was left out of the agreement. To service the property, the owner needs approval from Hilltown Township, Dublin Borough and EPA. Mr. Zarko is not concerned with giving them one EDU, he is concerned that if the owner would subdivide the property, they would need more EDU's and that could impact the Borough's supply to their residents and future development within the Borough. If Council decides to provide him the EDU, it should be limited to one. Mr. Smith asked if the property was previously subdivided to create the lot Mr. Kozak bought. Mr. Mast stated that all that land between Quarry Road and Rickerts was owned by a man named Mr. Moyer. He subdivided off the parcels. The parcel was farmland which is why he thinks it was not included in the agreement. The property was donated through a Mennonite Trust. The parcel that Mr. Kozak owns is deed restricted and only two acres of it is permitted for a single-family home. Hilltown Water and Sewer Authority has approved the hook up and has written a letter to the EPA for their approval. Mr. Mast stated that Mr. Kozak will agree to a Professional Service Agreement with an escrow. Mr. Mayes suggested the professionals research the agreement. Ms. Zook stated to Mr. Zarko that this would be a prerequisite for the water agreement and asked if the EPA would prove that there is contamination. Mr. Zarko stated they would just sign off on the connection. It was an oversight because it was undeveloped farmland. Mr. Kozak has spoken with the EPA and is waiting to hear back from them. There is a test well behind the Fire Company that the EPA needs to test, which hasn't been tested since the 1990's and they do not plan on testing it until the spring of 2023. There was a consensus to have the legal conditions brought back to the next meeting in November and to have Ms. Pursell draw up a Professional Service Agreement.

8. Committee Reports: Ms. Zook announced that a meeting was held at Borough Hall. Ms. Zook, Ms. Pursell, President Sharer, Mr. Kracht, Mr. Neil Moyer, Mr. Loughery and his attorney all met to discuss the Zoning Hearing Board application for 183 N. Main Street property and the concerns. They did receive a waiver to have the meeting with the Zoning Hearing Board by November 30, 2022.

9. Public Comments: There were no public comments at this time.

10. Comments from Council Members: Mr. Sharer asked Mr. Zarko if he received any information on the grant for Cobblestone Drive project. Mr. Zarko has not heard anything. President Sharer asked Ms. Zook if anything has been done with the appraisals for the properties at Twin Oaks. Ms. Zook stated that Mr. Kracht had spoken with the company that did the appraisals and has not heard back yet.

11. Executive Session: Mr. Smith announced Council would be meeting in Executive Session to discuss a real estate matter. Council will not be reconvening after Executive Session.

12. Adjournment: Mr. Mayes motioned to adjourn the meeting at 8:18 p.m.

Respectfully Submitted,

Date Approved: 11/14/2022

Colleen M. Pursell
Colleen M. Pursell, Manager/Secretary