

**MINUTES OF DUBLIN BOROUGH  
COUNCIL MEETING  
MONDAY, FEBRUARY 8, 2021**

- 1. CALL TO ORDER:** The February 8, 2021 meeting of Borough Council was advertised and held via Zoom. 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    |
|          | William Benonis | Robert Olsen |
|          | Timothy Hayes   |              |

**APPOINTED OFFICIALS PRESENT:**

|                                   |                       |
|-----------------------------------|-----------------------|
| Borough Manager:                  | Laurie A. Hagey       |
| 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 Council and the audience in the Pledge of Allegiance.

- 3. Council President Announcements:** None.

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

- 5. Approval of Minutes:**

- 5.1. Minutes of Meeting of January 25, 2021:**

**MOTION:** A Motion to approve the Minutes of the January 25, 2021 Council Meeting, as written, was made by Mr. Mast. Mr. Timothy Hayes seconded the motion, which unanimously carried.

- 6. Payment of Bills:**

- 6.1. Bills List dated February 5, 2021 for \$212,594.12 (all funds):**

**MOTION:** Mr. Mast made a motion, seconded by Mr. Benonis, and unanimously carried, to approve the Bill Lists dated February 5, 2021 in the amount of \$212,594.12.

- 7. Borough Official Reports:**

- 7.1. Dublin Fire Company:** A written report was provided to Council. In addition to the monthly report, the Dublin Fire Company Annual Report was also provided to Council prior to the meeting.

- 7.2. Mayor:** No report at this time.

**7.3. Borough Manager:** Mrs. Hagey reported the Borough is in receipt of plans for the Dublin Town Center Mixed-Use building, and the plans are being reviewed by Keystone Municipal Services at this time.

**7.4. Chief of Police:** Chief Regan provided the Police Report for January 2021. There were 126 total incidents. Officer Ramos was sworn in as the newest part-time officer. He has been a Bucks County Sheriff for approximately 15 years and has worked at two other Boroughs. Officer Ramos is also fluent in Spanish. Officer Gol and Officer Burkhardt completed their 2021 MPOETC recertification and Chief Regan completed a Power DMS training course.

The Department was certified in Less Lethal Weapons training (handcuffing, OC Spray, batons). A transition to a new Report Management System (RMS) has begun and is expected to be completed by September. Officer Swinehart assisted Bedminster Township with a car stop which resulted in a major drug seizure.

**7.5. Borough Engineer:** Mr. Zarko updated Council that Eastern Environmental has approximately 60% of the Lagoon Relining Project completed. He noted that ½ of the liner and underdrain has been installed and the new blower building has been completed. The weather is delaying some of the work. The project should be completed in 4 to 6 weeks, weather permitting.

Mr. Zarko stated we are waiting for T-Mobile to perform the relocation of their antennas on the Water Tower so the project can be completed. He noted that there is a minor amount of work that remains.

Mr. Zarko also updated Council on the 2021 Road Improvement Program regarding the possibility of adding the repaving of Marlyn Lane and Moyer Drive as add/alternate bid items. Inspections were completed on these two roads, and there were 23 property owners as well as the HOA that would need notification for repairs to their curbing. There was a delay in issuing notices to the affected property owners due to some uncertainty regarding the limits of the Borough's rights-of-way within the development, that has only recently been resolved. Since there is not sufficient time to allow for notification to these property owners, Mr. Smith suggested not to include these roads in the bidding at this time. Mr. Smith stated the residents need time to prepare and once a final accounting of the project is done, we can see if there is excess available to make the necessary repairs to the roads. There was a consensus to hold off on this portion of the project until funds are available.

Mr. Sharer asked about the Twin Oaks Pumping Station. Mr. Zarko stated we are awaiting easements from property owners in Bedminster Township before proceeding with the design phase and subsequent bidding of the project.

**7.6. Borough Solicitor:** Mr. Kracht reported that he spoke with Mr. Rob Loughery and learned Ryan Homes is hoping to be able to being selling townhouses by May 1<sup>st</sup>.

## **8. Discussion Items:**

**8.1. Approve Change Order No. 1 for the Lagoon Liner Replacement Project resulting in a \$3,095 increase as shown in Pay Estimate No. 5 for Contract 1441-7B to Eastern Environmental Contractors, Incorporated:** Mr. Zarko stated there were 5' by 9' concrete boxes in the lagoon that the liner had been installed around originally. There were concerns with the installation of the new liner around these old structures as it could potentially affect the integrity of the liner. Eastern Environmental quoted the cost to remove these structures in the amount of \$3,095.00. Mr. Zarko

recommended Council approve the Change Order for the structure removal in the amount of \$3,095.00 payable to Eastern Environmental Contractors, Incorporated.

**MOTION: A Motion was made by Mr. Mast, and seconded by Mr. Olsen to approve Change Order No. 1, to be included with Pay Estimate No. 5 for Contract 1441-7B, in the amount of \$3,095.00, to Eastern Environmental, Incorporated for the Lagoon Liner Replacement Project. The Motion unanimously carried.**

**8.2. Approve Pay Estimate No. 5 for Contract No. 1441-7B in the amount of \$134,363.42 payable to Eastern Environmental Contractors, Incorporated for the Lagoon Liner Replacement Project:** Mr. Zarko recommended approval of Pay estimate No. 5 in the amount of \$134,363.42 payable to Eastern Environmental Contractors, Inc., for work on the Lagoon Relining Project over the past month.

**MOTION: A Motion was made by Mr. Mast, and seconded by Mr. Timothy Hayes, to approve Pay Estimate No. 5 of Contract 1441-7B, in the amount of \$134,363.42, payable to Eastern Environmental, Incorporated for the Lagoon Relining Project. The Motion unanimously carried.**

**8.3. Ash Oil & Gas Land Development – 112 N. Main Street; Second Revised sketch Plan Review by CKS Engineers:** Mr. Kracht offered the history and a brief description of the Retail Use/Gas Station located at 112 N. Main Street. The retail was an Accessory to the gas station since 2009. In 2016, Mr. Vanga asked the Zoning and Hearing Board to consider allowing him to expand the retail use, but his request was denied. In 2018, Mr. Vanga moved his retail use into the bay area of his building on the property and made some improvements, without obtaining the proper permits. The business was shut down by the Borough and Mr. Vanga appealed this decision. He lost his appeal. Mr. Vanga has repaid all the Borough fees associated with this issue.

Mr. Vanga has prepared new plans depicting the relocation of the retail into the bay area within the building. He has an architect and attorney assisting him. Mr. Zarko stated that Mr. Vanga has requested that Borough Council waive the Land Development process related to the redevelopment of his building and property. Mr. Sharer asked if approval would be necessary from PA DOT and L&I. Mr. Zarko replied it is not necessary to have any PA DOT approvals because there are no modifications to the site entrances on Main Street. He also stated he does not believe that L&I approval is required but this will be confirmed with the Borough Code Official. Mr. Kracht stated approval would be required by Code Enforcement since, although they always had a combined retail, they are now changing the percentage of use. Mr. Mast inquired if the wastewater flows would increase and if this would be a problem. Mr. Zarko stated there should not be a problem, based upon the current redevelopment proposal. Borough Council can decide to waive part, or all, of the Land Development requirement for Mr. Vanga. President Sharer asked how the proposed parking will meet the regulations. Mr. Zarko stated he also questioned this, as Mr. Vanga is considering removing two current parking spots to add landscaping. There are two accesses to Main Street currently, and Mr. Zarko recommended they make one entrance and one exit to improve the traffic flow; however, Mr. Vanga is not accepting that recommendation at this time.

Mr. Mast suggested we ensure all SALDO/Zoning requirements are met. The Zoning Hearing Board would need to consider all required variances for the property. Mr. Smith stated if Mr. Vanga is cooperating and meeting the requirements, then the Borough can consider requested waivers. Mr. Kracht suggests Mr. Vanga present the final suggested plans to Council and, after this presentation, they should submit an application to the Zoning Hearing Board. Mr. Mast requested that Mr. Zarko provide a summary of the zoning issues Council should be most concerned with in the plans. Mr. Zarko stated one issue is their request to have outdoor storage for the sale of firewood and propane,

in the front yard setback of the site, which is not permitted. Mr. Vanga would have to obtain a variance from the Zoning Hearing Board to permit the outdoor storage. Mr. Kracht stated the larger issue is regarding zoning due to the proposal of Mr. Vanga to transfer the 275 square feet of retail to the bay area. The remainder of the bay area will be used for storage, but the whole bay area should be considered retail space/use since the bathrooms and storage are now included. The parking spaces required are based upon the entire square footage of retail space. Mr. Kracht stated Mr. Vanga would like to wait until Council meetings are in person to meet with them; however, he may attend a Zoom Council meeting to present his plan. No action was taken by Council concerning Mr. Vanga's request.

**9. Committee Reports:** Mr. Mast reported he has reached out to fellow members of the Community/Recreation Committee and it is agreed that a Community Day will not be held in June 2021. They are leaving the possibility open to holding some type of Community Event in late summer or fall, if possible.

**10. Other Business:** None.

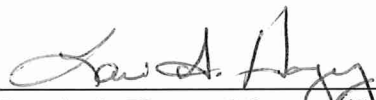
**11. Public Comment:** None.

**12. Comments from Council Members:** Mr. Mayes inquired if bills for snow removal were received yet. Mrs. Hagey reported they were not. Mr. Smith noticed the snowplow is not getting as close to the curb as they usually do and suggested this gets mentioned to the snow removal contractor. Mr. Mayes suggested when the snow plowing contract ends, that the Borough employees do the plowing. Mr. Sharer mentioned the difficulty of the employees performing the snow removal due to their other commitments and the Borough's lack of snow removal equipment.

**13. Adjournment:** Upon motion by Mr. Smith, the meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

Date Approved: 2/22/2021

  
Laurie A. Hagey, Manager/Secretary