

**MINUTES OF DUBLIN BOROUGH
COUNCIL MEETING
MONDAY, SEPTEMBER 13, 2021**

1. **CALL TO ORDER:** The September 13, 2021, meeting of Borough Council was held at Borough Hall, 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
	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:** President Sharer lead Council and audience in the Pledge of Allegiance.

3. **Council President Announcements:** There were no announcements from the president.

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

5. **Approval of Minutes:**

- 5.1. **Minutes of Meeting of August 9, 2021:**

MOTION: A Motion to approve the Minutes of the August 9, 2021, Council Meeting was made by Mr. Mast, seconded by Mr. Olsen, and unanimously carried.

6. **Payment of Bills:**

- 6.1. **Bills List dated September 10, 2021, in the amount of \$118,016.62 (all funds):**

MOTION: Mr. Benonis made a Motion, seconded by Mr. Timothy Hayes, and unanimously carried, to approve the Bill Lists dated September 10, 2021, totaling \$118,016.62.

7. **Borough Official Reports:**

- 7.1. **Dublin Fire Company:** Chief Kevin Nugent presented his written report and added building numbers and house numbers should be posted on the street side of all new construction making it easy for Emergency Responders to locate. Mrs. Hagey stated she would make the builders aware.

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

7.3. Borough Manager: In addition to her written report, Mrs. Hagey reported a Zoning Hearing Board meeting is being scheduled for the Ash Oil & Gas property on Main Street.

Mr. Mast asked if the owner of 117 N. Main Street was withdrawing his Conditional Use Application. Mrs. Hagey stated Mr. Mirarchi verbally relayed his decision to not pursue a change of use for his property. Mr. Mirarchi was instructed to put this decision in writing.

Mr. Mast inquired about EPA adding two new wells on Mill Street and if they were part of the revised treatment plan for the area. Mr. Zarko reported they were part of the original plan to aid in monitoring the superfund site and to assist with the chemical oxidation process.

7.4. Chief of Police: Chief Regan provided the Police Report for August 2021. The new CODY reporting system started on September 8, 2021. The Bucks County CAD system, which was scheduled for a September 14, 2021, start, has been delayed while various issues are resolved. Sergeant Kirk has returned to work following his medical leave. Officer Swinehart participated in a press conference by the District Attorney's office publicizing upcoming DUI checkpoints. Officer Ramos attended the release of Yardley Police Chief Joe Kelly from the hospital after Chief Kelly sustained injuries in a shooting.

As a result of the area flooding due to Tropical Storm Ida, Mr. Smith asked if any of our police officers or fire rescue personnel are experienced in water rescue. Chief Regan stated they are not trained in water rescue. Fire Chief Nugent stated some of the firemen have a little training and the requirement for full training is extensive and you would need a boat, which they do not have.

7.5. Borough Engineer: Mr. Zarko reported his office had initiated the engineering phase of the Sewage Treatment Plant Reactor Tank Repainting and Rehabilitation Project, and expects that bidding documents for the first of the two tanks will be ready to release for bids in early 2022.

7.6. Borough Solicitor: Mr. Kracht prepared an Ordinance adopting the revised Water and Sewer Tapping Fees. The Ordinance will be advertised, but it will need an effective date so he can add that to the Ordinance. Mrs. Hagey suggested November 1, 2021. There was a consensus to make the effective date November 1, 2021.

8. Discussion Items:

8.1. Dublin Village Greene Basin Modification Proposal – CKS Engineers: As directed by Borough Council, Mr. Zarko and staff completed an evaluation of the Dublin Village Greene detention basin, which included an evaluation of the basin's storage capacity and discharge efficiency. The basin was originally constructed in the 1970's and was designed based on storm water management design criteria that was in effect at that time. The basin is fed by a 36" pipe and a 42" pipe which convey stormwater flows from the Dublin Village Greene Development. It was determined that improvements could be made to the basin, if Council approves, to increase stormwater management efficiency. The reductions would range from 23% to 48% based on the frequency of future storm events. Some of the recommended modifications to the basin include: removal of debris from the basin bottom, minor regrading, reconstruction of the emergency spillway, and removal and replacement of the existing outlet structure. It was also recommended that supplemental rock rip-rap to be installed at the outlet of the basin and at the downstream culvert at Deep Run Road. By reducing the size of the basin outlet from the existing 24" pipe to a 15" orifice opening and modifying the elevations of the overflow and emergency spillways, the basin discharge

rates can be reduced for all storm events up to the 100-year storm. The preliminary cost estimate to modify the basin is \$68,750.

Mr. Smith noted the basin is functioning as designed at this time. However, the report indicates that the functionality of the basin can be improved if the recommended modifications were to be implemented. The purpose is to reduce potential erosion and reduce the outflow. Mr. Mast asked what the condition of the basin is today, to which Mr. Zarko replied that the Borough has previously made some repairs and the basin is functioning as per the original design, but modifications could be made now to improve the performance of the basin.

Mrs. Bernadette Reading of Deep Run Road reported that erosion was occurring on her property because the basin didn't hold any water, and informed Council she believed that the basin is not functioning properly. Mrs. Reading stated her basement has been flooded three times in the past two years. Her husband, Mr. Bruce Reading, stated they moved into their home in 1984, and while sometime in the late 1980's it rained heavily for four hours straight and the basin was full, and they did have some water in their basement. He also noted that during a minor rain event they do not have any issues. The Readings have lived on Deep Run Road for 36 years, and their basement has been flooded approximately 6 times. Their property and the neighbors' properties are being eroded by the flooding waters because they do not believe that the retention basin functions properly. Mr. Zarko informed the homeowners present at the meeting that Council is not required to address erosion issues on private properties downstream of the basin, but in an effort to assist, he offered to investigate the possibility of grant programs which may be available to help the downstream property owners. He also mentioned Deep Run Road is a PennDOT road and any stormwater repairs would be their responsibility.

Eric Cordes, a 20-year resident of Deep Run Road, reported over the years the basin hasn't been retaining water like before. There is erosion and flooding damage on their properties as a direct result of the basin being ineffective. Mr. Zarko stated with suggested modifications to the outlet structure, the basin will retain more water and discharge rates would be reduced for future storms.

Jake Kline of Deep Run Road stated there is never water in the retention basin, even from a regular rainstorm. If the water was held back, he wouldn't be losing so much land due to erosion. Mr. Smith asked if there is any other property other than the basin that could be contributing to the problem. Mr. Zarko replied no, because of the upstream flow that discharges to the drainage channel flow through the basin.

Dave Tempesta, also of Deep Run Road, stated when he refills dirt lost in a storm, it washes away with the next storm. Mr. Zarko suggested Mr. Tempesta should consider reinforcements to prevent the dirt from flowing away, like boulders or rip-rap. Mr. Tempesta asked if the flow could be redirected elsewhere. Mr. Zarko stated it was an established drainage way and it cannot be diverted. The residents asked if the basin discharge could be piped down past their properties. Mr. Mast stated the Borough would not be permitted to install additional piping on private properties.

President Sharer reported Council would further review this issue and take into consideration all comments. He thanked the residents for attending the meeting.

8.2. Dublin Town Center Escrow Retainage Reduction Request – Mr. Rob Loughery: Mr. Loughery addressed Council asking for their approval to reduce the amount held as retainage on the financial security for Dublin Town Center. The retainage is \$635,106.85 (10% of the financial security), and due to the project being approximately 69% complete, he's asking for a reduction to make funds available to pay remaining project expenses. There is approximately \$2,000,000 worth of site work left. The request was to get a release of \$435,000. The project is behind schedule by

about three to four months at this point. Council directed the Engineer, Mr. Zarko, meet with Mr. Loughery to determine if there was a reasonable amount that could be released from the retainage in the short term. Mr. Loughery stated that any amount agreed to will be paid back within approximately four months. Mr. Loughery believes the project site work should be 90% complete by the end of the year. They have two basins completed and are working on the third. There will be five basins in total.

8.3. Approve Escrow Release No. 14 for Dublin Town Center in the amount of \$197,156.56: Mr. Zarko recommended approval of the Dublin Town Center Escrow Release No. 14 for work completed in the amount of \$197,156.56.

MOTION: Mr. Smith made a Motion to approve the Dublin Town Center Escrow Release No. 14 in the amount of \$197,156.56, which was seconded by Mr. Mast, and unanimously carried.

8.4. Approve Pay Estimate No. 3 for the 2020 Roadway Improvement Program in the amount of \$21,584.16 payable to James D. Morrissey, Inc; and approval of Change Order No. 1 for the 2021 Roadway Improvement Program in the amount of \$3,105.00: Mr. Zarko recommended the approval of Pay Estimate No. 3 in the amount of \$21,584.16 for the 2020 Roadway Improvement contract for the completion of the pavement at the Water Tower driveway, payable to James D. Morrissey, Inc.

MOTION: A Motion was made by Mr. Mast and seconded by Mr. Smith to approve Pay Estimate No. 3 in the amount of \$21,584.16 for the 2020 Roadway Improvement Program payable to James D. Morrissey, Inc. The Motion unanimously carried.

Mr. Zarko is also recommending approval of Change Order No. 1 for the 2021 Roadway Improvement Program in the amount of \$3,105.00 to James D. Morrissey, Inc. which was a roadway repair of a 243 square foot damaged section of High Street.

MOTION: A Motion was made by Mr. Mast and seconded by Mr. Benonis to approve Change Order No. 1 in the amount of \$3,105.00 for repairs to High Street as part of the 2021 Roadway Improvement Program, payable to James D. Morrissey, Inc. The Motion unanimously carried.

8.5. Authorization to Advertise Amendment to Fee Schedule addressing changes to Water & Sewer Tapping Fees: Mr. Kracht stated he would advertise the amendment to the Fee Schedule with Council's authorization, addressing changes to Water & Sewer Tapping Fees. The final Ordinance will then be signed and adopted by Council in October with an effective date of November 1, 2021.

8.6. Approve Pay Estimate No. 1 for Contract 1400-117-21 for the 2021 Roadway Improvement Program, payable to James D. Morrissey, Inc., in the amount of \$237,371.84: Mr. Zarko recommended approval of Pay Estimate No. 1 for Contract 1400-117-21, for the 2021 Roadway Improvement Program in the amount of \$237,371.84 payable to James D. Morrissey.

MOTION: A Motion was made by Mr. Mast and seconded by Mr. Benonis to approve Pay Estimate No. 1 for Contract 1400-117-21 for the 2021 Roadway Improvement Program payable to James D. Morrissey, Inc. in the amount of \$237,371.84. The Motion unanimously carried.

9. Committee Reports: None.

10. Other Business: None.

11. Public Comment: There were no public comments.

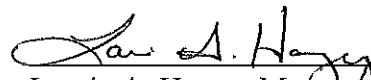
12. Comments from Council Members: President Sharer asked if any tickets for the Excellence in Design Walking Tour of Dublin were sold by the Borough yet. Mrs. Hagey specified that the Central Bucks Chamber of Commerce is selling tickets as well and although the Borough has not sold any yet, we are hopeful people will be purchasing them this week. The Walking Tour of Dublin will be held on Sunday, September 26th.

Mr. Smith informed Mr. Zarko there is an area at the Bedminster Pumping Station driveway which appears to be washed out. Mr. Smith also asked what the performance was at the Lagoon with the newly completed lining project and the major storm we had. Mr. Zarko stated the Lagoon performed great and the operators are considering additional procedures to improve the functioning even more by attempting to limit solids from entering the Lagoon.

13. Adjournment: Upon motion by Mr. Smith, the meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

Date Approved: 9/27/2021



Laurie A. Hagey, Manager/Secretary