

**DAUPHIN BOROUGH**

**COUNCIL MEETING MINUTES**

July 7, 2020

Council meeting came to order at 7:00 p.m.

**Roll Call of Council**

Council President	Dave Grbich
Council Vice-President	Brian Cuddy
Council Pro-Tem	Donald Harner (attended via telephone)
Councilman	Kevin Musselman
Councilman	Jeffrey Thrush
Councilwoman	Jennifer Peck
Councilman	George Bechtel
Mayor	Michael McKenna
Treasurer	Cindy Long

**APPROVAL OF MINUTES**

A motion by Councilwoman Peck and a second by Councilman Cuddy to approve the minutes of the June 3, 2020 Borough Council meeting, as presented, passed unanimously.

**Attendance of Councilman Harner**

A motion by Council President Dave Grbich and second by Councilwoman Jennifer Peck to allow Councilman Donald Harner to attend meeting by phone passed unanimously.

Councilman Harner was in attendance via telephone until 8:24 p.m.

**Open Comments from Dauphin Borough Residents**

Mr. Robert Ballos, owner of 701 Floral Ln, spoke regarding oil slicks on his pond. Now with black topping the roads and water running downhill, it is killing his fish. The pond runs into Stoney Creek, then the Susquehanna river. Mr. Ballos stated that if his property gets destroyed, he is suing. Solicitor Zei suggested that any questions or concerns regarding the environmental impact or scope of the work may be directed to the Borough Engineer, Light-Heigel & Associates, Inc. Keith Heigel stated that Mr. Ballos' concerns will be taken under advisement. A letter was sent to Mr. Ballos by Solicitor Zei per discussion during the June 3, 2020 Council meeting regarding Council's intent to move forward with the trench drain project.

## **Bob Rusbatch, EMC Coordinator for Middle Paxton Township/Dauphin Borough**

There is a disaster declaration available for refund of costs associated with COVID-19 expenses incurred, Per Mayor Mike McKenna, the Borough's expenses have been approximately \$400.00 - \$500.00. Due to the current minimal costs incurred by the Borough at this point, the Borough will not request a refund. The information regarding refunds for COVID-19 related expenses is changing all the time; originally no refunds were available, now refunds are available up to \$3,300.00. Mayor Mike McKenna and Bob Rusbatch will continue to keep track of the expenses and may apply for a refund later. The Borough will keep the option open until such time that the costs are appropriate for a refund application, or the refund is no longer available.

Mr. Rusbatch sent out the call stats to Borough council via email.

## **George Bechtel – Parks and Recreation**

Jaden Wise started an Eagle Scout project in the parks that was halted for COVID; he is now continuing with his project of interactive picnic tables.

Due to school districts recreational fields being closed, some local baseball teams, such as Central Dauphin, are using Kennedy Field to play other high schools. A fee will be charged to the teams for cleaning the restrooms after use of the field.

Councilman Thrush reported that the Dauphin Pool is now open.

## **ENGINEER'S REPORT**

**Dauphin County Infrastructure Bank Street Project** – ADA ramps construction is almost complete. The Hempt Supervisor moved to another project and Light-Heigel & Associates have been unable to get a schedule yet for milling but believe that Erie Street will be milled first. Milling and paving will not start for at least two weeks. Social media, etc. will be used to notify residents of street closures. Hempt Bros. submitted a payment request for retainage in the amount of \$122,635.50. The current payment due conditioned on the completion of prevailing wage interviews and County approval of payment. The interviews will be completed within a week or two and the check will not be issued until the money is received from the County.

A motion to make payment in the amount of \$122,635.50 was made by Councilwoman Peck and second by Councilman Musselman. The motion passed unanimously.

The road project is expected to go into September and may possibly go into October, weather dependent. Notice has been posted on the Borough website.

**Hillside Road Subdivision** – No further notification/requests have been received by Light-Heigel & Associates regarding the subdivision of 14 Hillside Road.

**Claster Boulevard Sewer Easement** – A resident at the northern end of Claster Boulevard is requesting sewer connection. Connections will require easement. Rather than going north toward Charles, she will be looking for an easement for a connection. More details will be provided as they become available.

**Dauphin Borough Gaming Grant** – There were issues with the contractor for the pavilion; posts were not at height, cement pad is not correct, requiring ten new holes to be drilled and new posts to be drilled in. The corrections will be made on the contractor's end. This will hold up Farhat. The project is not at a critical stage but is not where Light-Heigel wants it to be at this point. Keith Heigel reported that he is happy with Farhat's progress.

There are three change orders being proposed for the project:

- Change Order 1 – A decrease in the project cost between \$100.00 and \$300.00 for the elimination of a cheek wall to grade a small area. It has been determined that the cheek wall is not necessary, and the change order will come as a deduction from the original price. A motion to approve change order 1 was made by Councilman Cuddy and second by Councilman Harner. The motion passed unanimously.
- Change Order 2 – A sidewalk to be poured to stoop at Church Street to make a better transition. The change order is purely aesthetic and is a recommendation only and would cost an additional \$1,400.00 and require approval from Council. A motion to approve change order 2 was made by Councilman Harner and second by Councilman Musselman. The motion passed by roll call vote (4 in favor, 3 opposed).
- Change Order 3 – There is an inlet at the corner of Church and Canal Streets where the pipe going out is now exposed. The exit pipe is corroded. The recommendation requires a saw cut on both sides of Canal to remove the dilapidated pipe and replace it with plastic pipe into existing inlet. The cost of change order 3 is \$5,000.00. Councilman Musselman stated that he saw the exposed pipe and it is in poor condition. The second grant received for the project was based on the Borough's matching commitment of \$40,000.00. This change order can be part of the matching funds. A motion to approve change order 3 was made by Councilman Cuddy and second by Councilman Harner. The motion passed unanimously.

Light-Heigel & Associates have requested an additional draw for \$99,600.00 that will need to be deposited to the DCNR Grant Fund account.

**LDI Sewer Facilities Planning Module** – Eric Clancy, managing partner of LDI gave a history of the Riverview Project. In 2007/2008, LDI planned to move forward with development in Middle Paxton Township and did a study to determine if the Borough's sewer plant could take on new connections. LDI paid for the study and the study helped the Borough with corrective action plan for the sewer plant capacity. Fast forward to approximately one year ago, DEP suggested that LDI attempt to work with the Borough one more time. LDI moved forward with design and solution agreed for what was best for the Borough and the developer and creating a sewer planning module. A \$10,000.00 escrow was provided to the Borough for costs associated with Legal and Engineering fees associated with the LDI Riverview Project. In addition, the H2O grant application was prepared by LDI and Delta Development Group requesting funds for Borough to fix I&I problems with \$700,000.00 in match money for LDI's connection to the Borough sewer. It is anticipated that the results of the grant application will be received in September. Between December and July, there have been many meetings and LDI was notified in June that the escrow was depleted, and a bill is due for Legal and Engineering fees incurred by the Borough for the LDI project. LDI estimates a \$160,000 annual yield into the Borough system by the new construction. The Borough's approval of the Sewer Planning Module is one step of many for the project. The completed package will be sent to Middle Paxton Township Planning Commission and the Dauphin County Planning Commission.

A motion to approve the Sewage Facilities Planning Module for Riverview at Middle Paxton subject to the following conditions:

1. Payment in full by LDI of \$35,157.10 for outstanding invoices for professional services related to this project incurred by Dauphin Borough; and
2. Acknowledgement in writing by LDI that before LDI or any successor-in-interest may connect to the Borough's sewer system, LDI or its successor-in-interest must enter into an agreement with Dauphin Borough setting forth the terms and conditions of any such connection per the intermunicipal agreement between Dauphin Borough and Middle Paxton Township.

Was made by Councilman Harner and second by Councilman Musselman. The motion passed by role call vote. (5 in favor, 2 opposed)

A motion to hold a Special Meeting to discuss the LDI Riverview Project was made by Councilman Cuddy and second by Councilwoman Peck. The motion passed unanimously. The Special Meeting is scheduled for Tuesday, July 21, 2020 at 7:00 p.m.

A motion to accept the Engineer's Report was made by Councilwoman Peck and second by Councilman Musselman. The motion passed unanimously.

#### **SOLICITOR'S REPORT**

**Streets and Sidewalks** – Ordinance 2020-04 – A motion made by Councilwoman Peck and second by Councilman Thrush passed unanimously.

**Motor Vehicles and Traffic** – Ordinance 2020-05 – A motion made by Councilwoman Peck and a second by Councilman Musselman passed unanimously.

**608 Erie Street** – The Solicitor is waiting to find out who the Administrator of the Estate is, not aware of any Will in place. Designation of an Administrator of the Estate will determine who notices will need to be sent to for the property. This topic will be addressed again at the August Council meeting.

**Tax Identification Number for the Sewer Municipal Authority** – The tax ID number for the Sewer Municipal Authority has been obtained. The Authority will be meeting in August preceding the August Council meeting at 6:00 p.m.

**500 Erie St** – Settlement occurred. The outstanding sewer and trash bills were taken care of with settlement fees.

#### **TREASURER'S REPORT**

A motion to approve the Treasurer's report for June 2020 was made by Councilwoman Peck and second by Councilman Cuddy. The motion passed unanimously.

#### **MAYOR'S REPORT**

The Mayor stated he is working on the no parking lines; he is waiting for the paving project to be done.

The Mayor questioned if the Borough has a noise ordinance. He did not find any information in the ordinance specifically covering noise. He has received noise complaints for loud music at night and fireworks being set off late at night. Fireworks were being set off at Allegheny and Erie streets and a state trooper drove past but did not stop. Solicitor Zei will check to see what is on the books regarding noise. Solicitor Zei just drafted fireworks ordinances for other municipalities and will share examples with Councilmen Bechtel and Grbich, Councilwoman Peck, and Mayor McKenna.

#### **UNFINISHED BUSINESS**

**Security Cameras** – Councilman Grbich is still looking into security camera installation and suggested self-installation of Ring.

#### **NEW BUSINESS**

**Waste Management** – Waste Management has increased their fees \$1,200.00 per month.

**Vacancy of Assistant Secretary** – Resolution 2020-06 – A motion made by Councilman Grbich and second by Councilwoman Peck to fill the vacancy of Assistant Secretary passed unanimously. Cindy Long will fill the vacancy of Assistant Secretary to fill in as needed for things such as meeting minutes and attesting documents in the absence of the Secretary.

#### **CORRESPONDENCE**

A Thank You letter was received from a Borough resident for work that Troy and/or Ryan completed for a drainage problem.

#### **COMMITTEE REPORTS**

**Administration – Brian Cuddy, Jeff Thrush, Dave Grbich:**

**Hiring of Secretary** - A second round of interviews were completed for the Secretary position and a candidate has been selected. A motion by Councilman Cuddy and second by Councilwoman Peck passed unanimously to offer the position of Borough Secretary to Linda Durgin. Councilman Cuddy will notify Ms. Durgin.

**Update Fee Schedule** – Resolution 2020-07 – A motion by Councilwoman Peck and second by Councilman Cuddy passed unanimously. There will be a \$3.00 per month increase on the trash bills; notice will be on the August and September bills, and the new fee will be implemented in October.

**Public Works – Donald Harner, Kevin Musselmen, Dave Grbich:**

**Digester** – The parts are in for the digester

**Community Affairs – Jennifer Peck, George Bechtel, Dave Grbich:**

**NOV** – A Notice of Violation was hand delivered to a resident. The delivery of the notice went well and the resident was appreciative of the community outreach.

**Workshop** – workshop dates are scheduled for August 20<sup>th</sup> and September 17<sup>th</sup>.

**EXECUTIVE SESSION**

The meeting went into Executive Session at 8:59 p.m.

**ADJOURNMENT FROM COUNCIL**

The Council meeting adjourned at 8:58 p.m.  
Executive Session adjourned at 9:18 p.m.

Attest:

Approved:

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Cindy Long  
Assistant Secretary

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Dave Grbich  
President  
Dauphin Borough Council

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