

**MINUTES OF DUBLIN BOROUGH
COUNCIL MEETING
TUESDAY, OCTOBER 9, 2018**

1. CALL TO ORDER: The October 9, 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 7:30 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 Samantha Hall: Mayor Hayes swore in Samantha Hall.

3.2. Dublin Dairy Queen Sign Appeal: Mr. Kracht expressed that the attorney for the Dairy Queen, Mr. Wild, could not attend the meeting and that his absence does not mean he doesn't support the interest of the meeting. Mr. Kracht added that council should consider the request for the appeal, since it has been about a month since the appeal was heard by council. Mr. Kracht reviewed the sign violations that Mr. Knisley has appealed and stated that although Mr. Knisley's attorney has stated that the signs are enjoyed by equitable estoppel, they do not meet the definition of equitable estoppel. In order for equitable estoppel to apply, the owner must show good fortune to comply with the ordinance. However, no permits have ever been applied for, for these signs. He reminded the council that when they adopted Chapter 19, it was clear that the property owner can appeal the decision of the Borough Zoning officer, then council has the discretion to waive, modify, or provide relief.

Mr. Mayes stated that when the council wrote the sign ordinance, a lot was thrown at them and they didn't understand everything. Mr. Mayes also stated that seeing how it negatively effects the business's, maybe some of the language should change. Mr. Mayes added that it should be tweaked, and he asked the council to postpone any negative enforcement of the ordinance until it gets looked at. Mr. Smith asked Mr. Mayes to clarify what he meant about effecting other businesses. Mr. Mayes stated that Ms. Benner has received negative feedback and when you are running a business you want to do whatever you can for the business. Mr. Smith added that when the council got the appeal, examples of other DQ's didn't have significant signage and that neither of the stores, had that signage. Mr. Smith added that we have a sign ordinance and it is consistent to every business in Dublin that is subject to enforcement. He would recommend denying the appeal and supporting any action once the Dairy Queen came in compliance. Mr. Smith added that it's important to enforce the standing ordinance.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Mast, the council on a vote 4-1 denied the appeal of Section 19-105.K of the Sign Ordinance as related to Temporary Window Signs.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Mast, the council on a vote 4-1 denied the appeal of Section 19-107 of the Sign Ordinance as related to Temporary Signs.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Mast, the council on a vote 4-1 denied the appeal of Section 19-106.8.B of the Sign Ordinance as related to the Prohibited Banner Signs.

MOTION: Upon motion by Mr. Smith, seconded by Mr. Mast, the council on a vote 3-2 denied the appeal for Section 19-106.8.F. of the Sign Ordinance as related to Prohibited Posted Signs.

4. Public Comment on Non-Agenda Items: David Goodyear of Maple Ave., inquired about the Fire Siren in the Borough. Mr. Goodyear stated that he is the owner of a rental and is concerned with his tenants and their newborns. Mr. Goodyear has concerns about hearing safety and understands there are arguments for and against the siren. He asked if there is any data or statistics about what other Fire Company's do? Or how can they prove that it's needed? Mr. Sharer stated that council did have a discussion back in March and April and decided to keep it and the fire company is looking into reducing the cycle from 6 to 4 fire whistles. Mr. Goodyear added that a lot of Fire Companies have timers on them. He also asked what the siren is sounded for. Mr. Nugent stated that, the siren is sounded for whatever the County dispatches to the Fire Company. Mr. Mayes added the heart of the first responders use the fire siren to respond to the calls. Mr. Mayes added that the Borough should do whatever we can do to support the fire company. Mr. Goodyear stated that there is no disrespect of the Fire Company, it just has a direct impact on his life from it. Mr. Nugent added that it is Redundant, if technology fails, then it's the only way to sound off and if the pager doesn't get to one of the responders, then the siren does. At 4:00 Am, Mr. Nugent is averaging 5 people per call, but if 2 of them don't show, it would be because there isn't a siren, then that's a problem. Jackie Conrad of Maple Ave. asked if they have an estimated date on when the short cycle will be done. Mr. Nugent stated that they are working on it. Ms. Conrad added that it affects her daily life. She would like to reduce the siren at night to help the children. She would be happy to have alternative. Florence Rodgers added that she raised her children here and they got used to the sound, eventually they sleep through it. It tells you that someone is going out and risking their life for you.

Kristy Dolan, the daughter of the Knisley's, wanted to thank the council for serving the community and to let them know she doesn't respect their decision about the Dairy Queen's sign appeal. They feel that the signs draw in customers and they make more money. Ms. Dolan is appreciative that the council will be looking into the sign ordinance. She is willing to work with council to come to a mutual agreement.

5. Approval of Minutes:

5.1. Minutes of Meeting of September 24, 2018:

MOTION: A motion was made by Mr. Mast, seconded by Mr. Sherer and unanimously approved to accept the September 24, 2018 Minutes as written.

6. Payment of Bills:

6.1. Bills List dated October 4, 2018 for \$158,405.87 (all funds):

MOTION: Upon motion by Mr. Mayes, seconded by Mr. Sherer, the Council unanimously approved the Bills List dated October 4, 2018 for \$158,405.87.

7. Borough Official Reports:

7.1. Dublin Fire Company: Mr. Nugent presented the Fire Company report for September 2018.

Mr. Smith thanked everyone for attending and he added that he appreciated the conversation they had during the meeting. He suggested that the fire company look into the cost to upgrade the system, if that will help. Mr. Smith stated that they should collect information on what it might cost to implement something and bring the ideas to council. Mr. Nugent stated that he is not sure what alternative there is to the siren. Mr. Mast stated that the council has heard comments from the community and that the council has to react to what they hear from the community. Mr. Mast added that no one should view the comments as to being disrespectful to the Fire Company and what they do. Mr. Smith added that we have the means to come to a solution to understand and we should find a way to a common ground. He added there might be something else that they can utilize.

Mr. Nugent stated that we can't change that the siren will wake people up, but he is just trying to keep people safe and he has a responsibility to get the fire trucks on the street. Mr. Sherer asked if Plumstead and Doylestown get the same dispatching? Mr. Nugent said it's not really from a technology standpoint, the county just pushes a button and then each town has their own system. He added that the sirens that don't go off certain hours have a kill switch. Mr. Sharer thanked the Fire Company and stated that any decision they make and that they have his full support.

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

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

7.4 Chief of Police: Chief Regan presented the police report for September 2018.

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

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

8. Discussion Items:

8.1. Sanitary Sewer Repair Proposals Ref 1400-56B: Mr. Zarko stated that his office solicited proposals from several contractors relative to the sanitary sewer system repairs required to address inflow/filtration issues or defects previously identified during sanitary sewer video inspections. Mr. Zarko added that the inspections were performed in conjunction with the PADEP Consent Order Agreement relative to the Borough's Sanitary Sewer System. Mr. Zarko recommended accepting the proposal from Passerini & Sons, Inc in the amount of \$18,300.00.

MOTION: A motion was made by Mr. Sherer, seconded by Mr. Mast and unanimously awarded the 2018 Sanitary Sewer Repairs Proposal to Passerini & Sons, Inc., not to exceed \$18,300.

8.2. Dublin Town Center Sketch Plan: Mr. Loughery presented Council with the most recent sketch plan of the Dublin Town Center project. Mr. Loughery stated that Grand View has just finalized the size of the building that they want, so now he is ready to move forward with finalizing the engineered plans so that they can submit for land development. He stated that the comprehensive road has been shifted to provide a better alignment to Deep Run Road. The plan shows 73 Town homes; a 15,000 Square foot building for Grand View; a 12,000 square foot, three story building (mixed use) that will have retail on the first floor and apartments on the second and third floors. The garage will be converted to a Brew Pub with a food group mix. The Tec Center will be called The Square and he will be retaining about 80% of the tenants. The plan is to start the permit process for renovations on the garage and The Square in December

Mr. Mast asked if Grand View would be torn down totally and if there will be uniformity. Mr. Loughery answered yes, the building will be torn down and there will be uniformity with the buildings. Mr. Sharer asked if he would keep the character of the garage. Mr. Loughery replied yes that he wants to keep everything, except he must change the bathrooms for ADA compliance and put a new roof on. He also added that he would be naming it Station 23. Mr. Sharer asked when the phasing in starts, what will be first, and Mr. Loughery answered that he will submit the land development for everything at once. Mr. Mast asked if they will have metered parking. Mr. Loughery answered no, parking is intended to be public parking.

9. Committee Reports:

9.1. Finance Committee: Mr. Smith stated that the finance committee continues to meet for the funding of the Capital Projects.

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

11. Public Comment:

11.1. Florence Rodgers commented that someone has come for a planning meeting twice and no one was there for the meeting. Ms. Benner stated that usually the website indicates that the meeting has been cancelled but will have it checked.

11.2. Mr. Nugent asked council to remember the emergency services when Dublin Town Center is going through the land development process, as it will increase the volume of calls.

12. Comments from Council Members: There were no comments at this time.

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

14. Adjournment: Upon motion by Mr. Smith, the meeting was adjourned at 9:03 p.m.

Respectfully Submitted,

Date Approved: _____

Angela P. Benner,
Manager/Secretary/Treasurer