

**MINUTES OF DUBLIN BOROUGH
COUNCIL MEETING
MONDAY, MAY 13, 2024**

1. **CALL TO ORDER:** The May 13, 2024, meeting of Borough Council was held in Borough Hall at 119 Maple Avenue, Dublin, PA. Council President Timothy Hayes, called the meeting to order at 7:31 p.m.

ELECTED OFFICIALS PRESENT:

Mayor:	Chris Hayes	
Council:	Timothy Hayes	Jeffrey Sharer
	Brent Smith*	Matthew Mayes
	Philip Kessler	Keeley Rosenthal
	Sean Brennan	

APPOINTED OFFICIALS PRESENT:

Borough Manager:	Colleen M. Pursell
Borough Solicitor:	Scott MacNair, Esq.
Borough Engineer:	Brian Cicak, P.E.
Police Chief:	Michael Regan
Fire Chief:	Kevin Nugent
Emergency Management Coordinator:	Michael Tuttle*

*Not Present

**Late Arrival

2. **Pledge of Allegiance:** President Hayes led Council and the audience in the Pledge of Allegiance.

3. **Council President Announcements:** There were no announcements at this time.

4. **Public Comment on Non-Agenda Items:** There were no comments at this time.

5. **Approval of Minutes:**

- 5.1. **Minutes of Meeting of April 22, 2024:**

Motion by Mr. Kessler, seconded by Mr. Brennan and unanimously carried, the minutes of the April 22, 2024 meeting were approved, as presented.

6. **Payment of Bills:**

- 6.1. **Bills List dated May 13, 2024 in the amount of \$70,176.40 (all funds):**

Motion by Mr. Mayes, seconded by Ms. Rosenthal and unanimously carried, Council approved the bills list dated May 13, 2024, in the amount of \$70,176.40.

7. **Borough Official Reports:**

- 7.1. **Dublin Fire Company:** Council was provided with the April 2024 report. They responded to twenty-seven (27) calls, three (3) of those calls were in the Borough.

7.2. Mayor: Mayor Hayes had no report at this time.

7.3. Borough Manager: Ms. Pursell advised that utility payments are due on or before Wednesday, May 15, 2024. President Hayes asked about the status of the Streetlight Procurement Program. Ms. Pursell stated that she had an introductory meeting which focused on all the Phases. At this time, the Borough is waiting for an excel spreadsheet to be sent from Keystone Lighting Solutions which will map all streetlights. Once this list is received, the Borough will complete an inventory with the type of streetlight heads at each location.

7.4. Chief of Police: Chief Regan provided Council with the Police Report for April 2024, which included 143 total incidents. Chief Regan, Sgt. Kirk, and Officer Smith completed 2024 Legal Updates Training for MPOETC. The Drug Take Back event was a success with a total of 95.10 pounds collected. Their Bus Patrol school bus violation program resulted in 10 referrals of which 3 were approved for citation. A cyberattack on the Bucks County Radio system continued to affect the departments operations in April as the mobile data terminals in the police cars throughout Bucks County are still not functioning, limiting many of our resources. There has been progress towards restoration. Officer Smith completed Search and Seizure Training at the Bucks County Training Center and completed training in Dealing with Autistic Individuals held at the Upper Bucks Tech. School. Chief Regan and Detective McClelland completed yearly Pennsylvania State Police TAC Updates Training. The Pennsylvania State Police monthly incidents handled report has not been received.

7.5. Borough Engineer: The Dublin Village Basin Grant is expected to be in the next two weeks. The Connection Management Plan was updated for 144 N Main Street. CKS Engineers is working on the I/I update.

7.6. Borough Solicitor: Mr. MacNair advised the documents for 144 N Main Street are being worked on.

8. Discussion Items:

8.1. Consideration to Approve Preliminary Land Development Application – Perkiomen Apartments: Dan Lyons, the applicant's attorney introduced everyone. Mr. Lyons gave an overview of the project at 151 Maple Avenue Dublin, known as Dublin Village Apartments. The plan consists of the construction of two, three-story apartment buildings with 12 units in each. They went before Zoning Hearing Board to request special exception to expand the use, which is on a non-conforming B6 use by less than 50% and were granted the relief. They also asked for a variance to have four B6 apartment buildings on 3.3 acres, (two of the buildings are new and the other two are older buildings) in which the requirement is one building per one acre; they were granted that variance. The last variance they requested was to have 34 parking spaces instead of the 48 spaces that are required. Council had recommended approval for the variances. They are before Council seeking preliminary land development approval. They were before the Planning Commission on May 7th, and it was voted to recommend approval upon compliance with conditions contained in the April 17, 2024 CKS Engineers Review letter. They are a "will comply" to the review letters.

Mr. Borghetti provided an overview of the plan. With the Stormwater requirements, they are working on having parking closer to the units. Mr. Sharer asked if the Detention Basins will be buried. Mr. Borghetti explained they will be surface facilities. Mayor Hayes asked if there were any

public amenities for the residents. Mr. Borghetti stated the existing spaces up front off of the main driveway are where they would have a community feature, like benches or a shaded structure. President Hayes asked how many parking spaces there are per unit. Mr. Borgetti indicated there are approximately 1.7 spaces per unit, which they received ZHB relief for the spaces, because 12 of the units are one bedroom and the other 12 units are two bedroom.

Mr. Lyons read the review letter to Council from CKS Engineers dated April 17, 2024; One of the zoning issues is the setback from parking, it is not required, they are in compliance. Mr. Borghetti added that they were asked by a current resident to have more parking closer to the units. They would like to remove one of the parking islands which currently holds the mailboxes and relocate them. The next waiver from the requirements, the applicant will provide a construction easement for the grading of five feet from the property or right of way lines of streets or alleys. The next waiver is in regard to S.O. Section 22-603.2A.15, which requires certain features within 100 feet of and within the property line shall be shown on the preliminary plan. The applicant has agreed to consider anything that Mr. Cicak suggests that needs to be completed for the design. Comment #8, S.O. Section 22-713.1.L.2 would like the trash to be landscaped. The applicant is asking for a partial waiver, to add three sides of vinyl white fence to cover the trash. The final partial waiver is from comment #10, S.O. Section 22-712.2, the minimum width of all sidewalk shall be five feet. The existing sidewalks are all four feet. The majority of the proposed sidewalks will be five feet, they are asking for a waiver for the connection to the four-foot sidewalk. They will have a five-foot turn around at the top and bottom of the steps, which is ADA compliant. The additional impervious would push them over the limit. Mr. Lyons stated there are a few concerns if the fire truck will be able to turn in and out easily. The applicant is in contact with the Fire Chief. Mr. Sharer asked if they have DEP approval for the 18 EDU's. Mr. Cicak stated it won't affect preliminary final approval, but will affect whether they can build it.

Mr. Borghetti explained where the water and sewer connection would be. Most of the improvements can be done without PennDOT approval. Ms. Pursell stated they are waiting for the Traffic Engineers Review letter. Mr. Borghetti stated they did a trip generation, about 157 trips throughout the day, which equals to an average of one car every 6-7 minutes.

DEP has concerns about the EDU's as the Borough has experienced recent SSO's. The applicant has been making improvements to the property. The average flow was 126 gallons a day to 90 gallons a day.

Motion by Phil Kessler, seconded by Sean Brennan to grant the waivers from SALDOD 708.5A, 22-6032A15, 22-7131L2 condition upon applicant installing a three-sided white vinyl fence 22-712.2.

Motion by Mr. Sharer, seconded by Mr. Kessler to recommend Conditional Preliminary Land Development approval conditioned upon conditions contained in April 17, 2024 CKS Engineer review letter, conditions in granted waivers and applicant explore the extension of the of sidewalk that goes to Maple Avenue contingent of PennDOT approval.

8.2. Appointment of Borough Lighting Consultant: Ms. Pursell advised that the Borough needs to appoint a new Lighting Consultant, as Suburban Lighting is not longer in business.

Motion by Mr. Smith, seconded by Ms. Rosenthal and unanimously carried, Council appointed CKS Engineers as the Borough's Lighting Consultant.

8.3. Authorization to Advertise for Sanitary Sewer Mainline, Lateral and Manhole Relining Project: Ms. Pursell informed Council last year the Borough was awarded a grant that they applied for, in the amount of \$192,500.00 for the COVID-19 ARPA Small Water and Sewer Program Grant.

CKS Engineers has prepared a bid advertisement which includes the relining of approximately 1,440 linear feet of 8" VCP sanitary sewer mainline, including 12 lateral reinstatements, the relining of twelve 6" PVC sanitary sewer laterals and the relining of 6 sanitary sewer manholes. Ms. Pursell stated they budgeted \$315,000.00 for the project, but did not budget to receive a grant for the project. Ms. Pursell would like authorization to advertise the project.

Motion by Mr. Sharer, seconded by Mr. Rosenthal and unanimously carried, to advertise in the intelligencer the Sanitary Sewer Mainline, Lateral and Manhole Relining Project.

8.4. Authorization to Advertise Knox Box Ordinance: Mr. MacNair made the two revisions to the Knox Box Ordinance. The Fire Marshal was changed to the Chief Officer of the volunteer Fire Company and the other change was an addition of penalties. Mr. MacNair would like authorization to advertise the Ordinance for consideration of adoption at a future meeting.

Motion by Mr. Mayes, seconded by Mr. Rosenthal and unanimously carried, to advertise the Knox Box Ordinance.

8.5. Authorization for Fire Police at Dublin Fire Company Carnival: Ms. Pursell received a request from Dublin Fire Company for the assistance of Fire Police at Dublin's Fire Company Carnival from Chalfont, Doylestown, Haycock, Milford, Perkasio, Plumstead, Sellersville, Silverdale and Tinicum Fire Companies and would like approval from Council. The carnival is scheduled for July 12th – July 13th and July 16th – July 20th.

Motion by Mr. Sharer, seconded by Mr. Kessler and unanimously carried, Council approved the request for Fire Police at the Dublin Fire Company Carnival.

8.6. Resolution 2024-04 for Plan Revision for Land Development – 144 N. Main Street: Mr. Cicak explained that for 144 N. Main Street to submit their PADEP Sewer Module, a resolution is required to be adopted by Borough Council.

Motion by Mr. Sharer, seconded by Mr. Kessler and unanimously carried, Council adopted Resolution 2024-04 for Plan Revision for Land Development – 144 N. Main Street.

8.7. Authorization to Close Out Escrow for Dublin Diner LLC, Liquor License Hearing: Ms. Pursell informed Council that on 9/11/23 Borough Council held a Liquor License Hearing for the application of the Dublin Diner, LLC. Council approved the application of Dublin Diner, LLC for the Intermunicipal Transfer of Pennsylvania Liquor Control Board Restaurant Liquor License to the Brough of Dublin from Bristol Township, along with Resolution 2023-08. There is a balance of \$1,500 in the escrow. Ms. Pursell is seeking authorization to close out this escrow and return the remaining escrow balance to the applicant.

Motion by Mr. Kessler, seconded by Mr. Brennan and unanimously carried, Council authorized Ms. Pursell to close out the Escrow for Dublin Diner LLC, Liquor License Hearing.

9. Committee Reports: Mr. Mayes announced there was a Community Day Meeting before the start of the Council Meeting. There was also a small meeting at the park last week to go over the event. Mr. Mayes also mentioned there is a chance of an Eagles player coming to Community Day. Mayor Hayes stated that the fee might be between \$1,500 - \$2,000 with the possibility of this including a raffle item.

10. Public Comment: Mr. Phil Meyers of North Main Street would like to know why there was an increase in the sewer rate since there was about 120 more connections with the new development to the sewer system. Ms. Pursell informed Mr. Meyers the operational expenses have gone up to treat the sewer plant. The Borough has not raised the rates in over 5 years. Mr. Mayes explained the trash also went up. Mr. Meyers also wanted to know if the Dublin Diner had to pay for water and sewer even though it is not occupied yet. He was informed that yes, that they still must pay the fees.

11. Comments from Council Members: Mr. Sharer asked what is going on with the outside dining at the Anchor at Dublin Inn. Ms. Pursell explained she sent the Anchor at Dublin Inn a violation letter in regards to their tables in their driveway. The person that is operating the bar at the establishment stated that she had permission from the Liquor Control Board to have outside dining and they came out to inspect the tables. They are aware that they are not allowed to have the outside dining. Mr. Sharer is concerned they may start playing music loud outside there. Mr. MacNair stated it can be addressed by an Ordinance Amendment or by going to the Zoning Hearing Board. If there would be Zoning Hearing Board approval, they could put limitations on any kind of music. If it would be an Ordinance, he would recommend conditions associated with any type of music. Ms. Rosenthal asked about other restaurants in the Borough with outside dining. Ms. Pursell stated that Dam Good Café also received a letter about their tables outside. Outside dining is not permitted. Mayor Mayes suggested Council review the Ordinance for outside dining. There was a brief discussion about outside dining and music. Mr. MacNair was directed to bring to Council examples of what other municipalities have in their Ordinance for outside dining.

12. Adjournment: Upon motion by Mr. Sharer, the meeting was adjourned at 8:51 p.m.

Respectfully Submitted,

Date Approved: 


Colleen M. Pursell, Manager/Secretary