

## **MINUTES**

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, November 1, 2021 at 7:00 pm. Mr. Ferry was absent. All other members were present. President Kroft called the meeting to order. There was a moment of silent prayer followed by the Pledge of Allegiance.

The October 4, 2021 Meeting minutes were reviewed. Mr. Raffensberger made a motion to approve the minutes as presented. Ms. Snyder seconded the motion. All were in favor.

The October 11, 2021 Budget meeting minutes were reviewed. Ms. Snyder made a motion to approve the minutes as presented. Mr. Slusser seconded the motion. All were in favor

The October 12, 2021 Budget meeting minutes were reviewed. Mr. Sabold made a motion to approve the minutes as presented. Ms. Snyder seconded the motion. All were in favor

## **PUBLIC COMMENT**

Mr. Lee May and Mr. David Smith, representatives of Sheetz, were present. They have recently signed an agreement with Shipley. They came tonight to inform Council of their plans to renovate and occupy the old Tom's gas station property. Mr. May gave some history of Sheetz which was started in 1952 and is still a family-owned company. They have 625 stores and are still growing. Stores are located in six states with Pennsylvania being their home base state and they have 20,000 employees. Sheetz is one of the best places to work, is a community-oriented company and they are involved with a lot of charities. A reverse subdivision will be done to join the four parcels as one which will then be a total of 1.67 acres. A new building will be constructed, and they will be requesting a special exception to sell fuel. They are starting their due diligence work with PennDOT regarding access in and out of the property. When the lay out and site plan are ready, they will return to present them to Council. Mr. Sabold thanked them for coming early on in the process and informing Council of their plans.

Chief Dettinger provided the fire company report.

- They responded to 32 calls in October. Four of those calls were in the Borough with zero loss.
- The November calendar was reviewed. Mr. Sabold made a motion to approve the calendar as presented. Ms. Snyder seconded the motion and all were in favor.
- Mrs. Kroft thanked Mayor Hernley and Ms. Snyder for their help at the fundraiser event last week.

Dee Keefer was present for clarification of her property line at S. Main Street and Park Street. She wants to eliminate the legal liability about the property line, since she sees it is a gray area. She believes the deed needs to be clarified. The County map shows the property line going all the way to Park Street. Mr. Herrold stated the County tax map shows the property as a singular piece of land but the deeds back into the 1800's indicate that it is 72' frontage more or less extending to a street. This is where the question comes in: What was that road prior to Park Street? The deeds have been consistent regarding the 72' frontage. It is believed at one time there was a trolley line that may have run through the grass area. If that is the case, what happened to the trolley road when it was abandoned? Was it possibly deeded back to the Borough? We don't have any evidence of that. Mrs. Keefer wondered if the trolley line used that area, would it go back to the property owner after it wasn't used anymore? Mr. Herrold states there is no evidence that it was owned by whoever owned the property previously. There are a lot of interesting legal questions and theories on this. One thing that is known is the 72' is specific and consistent. Mr. Herrold commented that Mrs. Keefer's attorney Mr. Anstine had suggested the Borough pay half of a survey. Mr. Lipinski responded that they research deeds and sometimes the surveys just don't fit, and then the property owners just have to agree. Mr. Herrold added the tax map is often incorrect. Mrs. Keefer paid for title insurance to make sure there would not be an issue but it is an issue. Mr. Herrold does not believe she is being taxed on that portion of land and that figuring out the square footage would be pretty easy to tell. Mrs. Keefer said no one can clearly say that and she was hoping someone would know for clarification. Mrs. Koch

asked if she had it surveyed, which she did not. Mrs. Koch suggested she do that and that she is responsible to survey her own property. On the other hand, Mrs. Keefer states the Borough does not have anything showing that they own it either. President Kroft added that would be a Borough issue then. When it is surveyed, they will measure to the 72' frontage of her property and anything beyond that has been assumed to be the Borough's. If anyone has proof otherwise the Borough would then have to fight that. From the Borough standpoint, they aren't looking to do anything with that land so there is no need to survey it. President Kroft believes the confusing results from the phrase "to a highway" which is now Park Street but when that deed was written before 1900 it is believed to have been a trolley line. Mrs. Keefer states everything makes sense but she was hoping for a clear answer. President Kroft suggest that the clear answer is wherever the 72' ends that is her property line. Since the Borough has maintained that portion for a very long time it would end up being the Borough's if there is a deed for it or not. Mr. Herrold added that is referred to adverse possession and is what could be legally in play here. Mrs. Keefer thanked Council. She said if she can find any more information, she will get the deed updated so there are not further issues.

EMA report - None

## **SEWER**

*Public Works Report* – Nothing to add.

*Engineer's Report* – Mr. Lipinski reported they opened the bids on Friday for the sewer lining project on Elmwood Drive and Oakwood Drive. Insight Pipe was the low bidder at 27.90 per linear foot for 1,170 feet totaling. Mr. Slusser asked if we know anything about them since the name was not familiar. Mr. Lipinski states they can request information regarding previous contracts to check them out. We have to take the lowest bid so if their references check out, the bid would go to them. After discussion and the fact that the work will be bonded, reviewed when finished and must be found satisfactory, Mr. Slusser made a motion to award the bid to Insight Pipe in the amount of \$32,643 for sewer lining of Elmwood Drive and Oakwood Drive. Mr. Raffensberger seconded the motion. Mr. Sabold opposed and the motion carried. Mr. Sabold expressed his opposition is due to the unknowns of the unfamiliar company. Mr. Lipinski will perform due diligence in reference to this company. If Mr. Lipinski finds something negative, he will let the Borough know right away.

Mr. Lipinski mentioned a call that was received by the Borough in reference to inspecting the lines at Mt. Zion Off-Road. He explained Dover Township started the inspections and they were almost done. They were getting ready to do the testing when someone realized that the permits said Dover Borough is responsible for inspections so they pulled their inspector. The contractor was concerned since he had equipment and personnel on site that no one was showing up. Mr. Lipinski resolved it by speaking to Dover Townships person in charge of their inspection services. Since he had to make a decision quickly, he sent an email authorizing on behalf of the Borough for them to perform the inspection. They had already done all the other inspections prior to this one. He also requested they send him the inspection report so it can be documented. Dover Township was agreeable to that and sent their inspector out. Mr. Grim also did not feel the Borough should've been doing the inspections because it is a Dover Township line that carries sewage to our plant. They are responsible for their line not the Borough. Mr. Lipinski added the plans said inspection services by Dover Township but the permit said inspection services by Dover Borough. They saw that right at the end.

*Solicitor's Report* – None

*Old Business* – President Kroft inquired if Ms. Sprenkel had received any response to the grease trap letters that she sent out. She stated she received two so far, one from the El Camino Taqueria and from Amy's Cakery. They have both provided receipts of cleaning. Mr. Herrold states a response was to be within 30 days. He suggested we reach out to those that haven't responded by the end of the year.

*New Business* – None

*Old Business* - None

**WATER**

*Public Works Report* - Mr. Grim reported drilling for the test well will start the end of this week or next week.

*Engineer's Report* –None

*Solicitor's Report* –None

*Old Business* – None

*New Business* – None

**BOROUGH**

*Public Works Report* – Nothing to add.

*Zoning Manager's Report* – Mr. Sabold reported the construction at New Hope has begun. He thought they were to return to Council with the plans since the Borough was asked to be the host municipality. Ms. Sprenkel will get in contact with them.

*Engineer's Report* – Mr. Lipinski presented a recommendation of payment to York Excavating in the amount of \$21,835.75. This is \$2,659.25 less than they quoted for the paving project. Mr. Sabold made a motion to approve payment to York Excavating in the amount of \$21,835.75. Ms. Snyder seconded the motion. Mr. Slusser abstained and the motion carried. Mr. Lipinski presented a recommendation of payment to York Materials in the amount of \$24,386.50. This is \$4,033.50 less then quoted for materials for the paving project. Ms. Snyder made a motion to approved payment to York Materials in the amount of \$24,386.50. Mr. Raffensberger seconded the motion. Mr. Slusser abstained and the motion carried.

Mr. Lipinski submitted a draft for the street opening ordinance. There are several sections to complete after decisions are made such as who to use as the inspection agent, types of road cuts, fees and when road overlays would be necessary.

*Solicitor's Report* – There had been several discussions regarding the EMA position. If the Council's decision is to make a change, Mr. Herrold recommends doing that now. Mr. Slusser made a motion to remove Mr. Pope from the EMA coordinator position as of November 1<sup>st</sup> 2021. Mr. Herrold drafted a letter to be sent requesting the equipment be returned by November 15, 2021. Mr. Sabold seconded the motion and all were in favor. Chief Dettinger offered to fill in as the acting EMA coordinator until someone is appointed permanently. Mr. Slusser made a motion to appoint Chief Dettinger acting EMA Coordinator. Mrs. Koch seconded the motion and all were in favor.

Mr. Spangler and Mr. Herrold left the meeting at 8:25 PM.

*Mayor's Report* – Mr. Slusser thanked Mayor Hernley for his help at the fire company.

*Police Report* – President Kroft reported the calls for September were up by 31 and it was the busiest month in the department's history. The year-to-date calls are up 111 calls. They expect to reach 30,000 calls into November. The upgrades at the substation are done. Patrols will be moving in by January 4, 2022. The trailer for the ATV has arrived. The ATV is expected to be in earlier than expected. The Borough calls were reviewed. Mrs. Koch wondered why a revived overdose person is not charged. Lt. Neidigh was present and explained that it falls under the Good Samaritan Law. No one present can be charged otherwise, those present would not call for help. Also, the police cannot make them go to a hospital or to a rehab for help. Sadly, they get repeat calls for the same people and heroin use has hit people of all social economic backgrounds, races and religions. The problem is what heroin is laced with. People have no idea what they are getting when buying it on the street. Lt. Neidigh announced they are doing the Toys for Tots program again this year. They will be accepting toys at the station and the substation from 10-2 on Black Friday. Next week there will be a community meeting in

reference to the new building project. A possible location is on Bear Road off of East Canal Road. The land and a new building may be donated. They would look at selling the current station but the range building which is on a separate parcel would be kept.

*Ambulance Club Report* – President Kroft stated the Borough received a letter regarding Grantley Fire Co. and ambulance. They are now selling their ambulance service out to First Capital Transport. Grantley Ambulance would be third due in Dover. This should not have much of an impact on us.

*Secretary's Report* – Mrs. Plowman added the mowing service will be out this week. They may come back, depending on the weather. Mrs. Plowman reported that the postcards sent out for quarterly billings are supposed to all be sent in an envelope. Council discussed changing to a full-page invoice and to check if our system can generate them in that format. The porta potty's at Ketterman Park were discussed. Mrs. Plowman stated the motion made earlier was to have them until October 31<sup>st</sup>. The most recent invoice received included rental until November 20<sup>th</sup>. Council agreed to keep it until the end of that time. Mr. Sabold thanked Mrs. Plowman for all the prep work for the budgets. Mr. Slusser added that it saved them a full evening of not needing to meet again.

*Treasurer's Report* – Mr. Slusser made a motion to approve the treasurer's report as presented. Ms. Snyder seconded the motion and all were in favor.

*Old Business* – A Resolution was reviewed to honor Thomas Mummert from Dover Garage. Mr. Sabold made a motion to approve Resolution 2021-13 honoring Thomas Mummert from Dover Garage. Ms. Snyder seconded the motion and all were in favor.

Mr. Slusser made a motion to advertise the proposed 2022 budgets for adoption at the December 2021 meeting. Mrs. Koch seconded the motion and all were in favor.

Council discussed the office roof replacement quotes Mr. Grim presented. Mr. Slusser made a motion to approve Shawn Melhorn to install a Hawaiian Blue colored metal roof at a cost of \$8,500 plus the cost of snowbirds. Mr. Raffensberger seconded the motion and all were in favor.

*New Business* – Ms. Snyder accessed the Christmas Tree decorations. Some will need replaced. President Kroft suggested using the Recreation Board budget. Mr. Slusser made a motion to use the Recreation Board budget to redo the Christmas Tress and not to exceed \$1,250. Mr. Raffensberger seconded the motion and all were in favor.

Mr. Sabold mentioned since there have been discussions about doing improvements at the park, he noticed in the Borough News there is a webinar coming up about these grants.

ARPA Funds were also discussed. There is not a clear answer on everything they can be used for or the deadline to use them. Emergency services related items can be covered. License plate readers are being purchased by some municipalities for the NYCRPD with their funds. These are able to capture the license plate of vehicles fleeing a location. They give a full picture of the vehicle and the owner. They can alert officers to suspended license plates, licenses, warrants for arrest, stolen vehicles, wanted subjects, amber and silver alerts. Watch lists can also be created.

With no further business to discuss, Mr. Slusser made a motion to adjourn with a second by Mr. Raffensberger. All were in favor. The meeting adjourned at 9:33 PM.

Respectfully submitted,

Brenda J. Plowman  
Secretary/Treasurer