

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
December 8, 2014

The Supervisors of Clay Township met on a regularly scheduled meeting date of December 8, 2014, at the Clay Township Municipal Office, 870 Durlach Road, Stevens, Pennsylvania, at a time and place duly established to hold such a meeting, and advertised and posted in accordance with the Second Class Township Code and the Sunshine Law.

Supervisors present were Timothy Lausch, Chairman, and Keith Martin, Vice Chairman.

Clay Township employee present was Bruce Leisey, Township Manager. Also present was Bob Lynn of Hanover Engineering, Inc., Township Engineer and Jennifer Mejia of Shirk and Mejia, Township Solicitor.

Also attending were those listed on the meeting attendance sheet, which is attached to these Minutes.

Timothy Lausch called the Meeting to order at 7:08 p.m.

Treasurer's Report

Keith Martin made a motion, seconded by Tim Lausch, to approve the Treasurer's Report for the months of October and November, 2014. *The motion was approved unanimously.

Meeting Minutes

Keith Martin made a motion, seconded by Tim Lausch to approve the October 27, 2014 meeting minutes as printed in the December 8, 2014 agenda. * The motion was approved unanimously.

Keith Martin made a motion, seconded by Tim Lausch to approve the November 10, 2014 meeting minutes as printed in the December 8, 2014 agenda. * The motion was approved unanimously.

Keith Martin made a motion, seconded by Tim Lausch to approve the November 18, 2014 meeting minutes as printed in the December 8, 2104 agenda. * The motion was approved unanimously.

** Gary Landis arrived at the meeting at 7:15 p.m. during visitor session. **

Visitors

1. Jean Price, 1390 Forest Hill Road and her son Jon Price

Mrs. Price was present to discuss her understanding that Forest Hill Road in front of her home is going to be raised to eliminate the water running across the road onto her property and into her basement.

Tim Lausch explained that at the annual Road Tour Inspection the Board of Supervisors decided to investigate improving and paving Forest Hill Road from Kleinfeltersville Road to Furnace Hill Road in 2015 rather than doing gutter repair in 2014. Mr. Lausch apologized for not informing her of this time schedule change.

Mrs. Price has concerns about the depth of the gutter that was cleaned on the North side of Forest Hill Road across from her home. She feels that it is not deep enough to keep the water on that side of the road.

There was discussion on the concern from Mrs. Price on the potential of the Township widening the road.

It was decided to remove existing drain title on North side of Forest Hill Road across from Mrs. Price home. The removal project will be completed in 2015 when weather permits. The road proposed raising project is currently scheduled for 2015 as discussed.

Meeting Minutes

Gary Landis made a motion, seconded by Keith Martin to approve the October 13, 2014 meeting minutes as printed in the December 8, 2014 agenda. * The motion was approved unanimously with Tim Lausch abstaining from the vote.

Engineer's Report

1. Gerald M. and Lorraine W. Hursh – Lot Add-On Plan #14-09

Mike Kotay of Diehm & Sons reviewed the Hursh Lot Add-On Plan with the Board of Supervisors. The Hursh project is proposing a centerline separation/lot addition between two existing deed tracts owned by Gerald and Lorraine Hursh and Elvin and Mary Hursh. The project is proposing no new construction. All lands are presently used for agricultural purposes and will continue to be used for the same for the foreseeable future. The goal of the subdivision is to split the lands of the property by the centerline of West Burkholder Drive with Elvin and Mary Hursh

receiving Lot 2 (lands on the North side of West Burkholder Drive and the West side of Wood Corner Road).

Keith Martin made a motion, seconded by Gary Landis to approve the following deferral and waiver for the Hursh Lot Add-On Plan. * The motion was unanimously approved.

Section 610.A.3.a – Sewage Testing Required for all Proposed Lots

The applicant is requesting a deferral of the requirement to provide proper sewage testing for Proposed Lot 2. The applicant states no new on-lot sewage systems are being proposed for either lot. The applicant notes that if Lot 2 were to be developed in the future, it would be developed for Light Industrial Use and this would more than likely require the extension of public water and sewer service to the site. The applicant also states that a DEP Non-Building declaration in support of the Ag-use parcel (Lot 2) is being created. The declaration states that the parcel (Lot 2) cannot be developed without proper planning that would include soils testing and DEP sewage planning and this restriction will be incorporated into the future deeds of Lot 2.

Section 610.A.3.b – Replacement Location for On-Lot Sewage Systems Required

The applicant is requesting a waiver of the requirement to provide a replacement location for an on-lot sewage system. The applicant states that no new on-lot systems are being proposed for either lot. The applicant notes that the lands of Lot 1 (lands of Gerald and Lorraine Hursh) on the South side of West Burkholder are being increased in size from 25.16 acres to 29.08 acres. The applicant also states that the land holdings for the property with the current plan will be re-aligned so that all new land is now located on the same side of West Burkholder Drive as the existing improvements on the property. The lands comprising the lot are flat, well drained agriculture and would provide ample room for a replacement absorption area.

Keith Martin made a motion, seconded by Gary Landis to approve execution of DEP Planning waiver and Non-Building declaration. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to approve the Hursh Lot Add-On Plan contingent on compliance with the Hanover Engineering letter dated 11/20/14. * The motion was unanimously approved.

At this time, Tim Lausch took a moment to thank Mike Kotay for all his years working with the Township while at Diehm and Sons. Mike will be semi-retiring in 2015 and said it has been a pleasure working with the Township.

2. Fox Family Partners – Landscape Modification

Bob Lynn discussed the Fox's request for a modification of landscaping with the Board of Supervisors. They are proposing to substitute eight (8) Cleveland pear trees for the four (4) Maple, one (1) Golden Raintree and three (3) Red Oaks. They are also proposing to relocate the trees as indicated on the submitted drawing. Three trees will be moved to the NE corner of the

property, one on each side of the driveway, one centered along the Western edge of the property and one in the SE corner along Rt 322. They are also proposing to replace the thirteen (13) Mt. Laurel, twenty-one (21) Cherry Laurel and six (6) Rhododendron with forty (40) Inkberry Holly's and Golden Hinoki Cypress. The trees will be relocated to provide more visibility to the building and small plantings for additional color.

After review, Gary Landis made a motion seconded by Keith Martin to approve the landscape modifications as noted on the submitted drawing. * The motion was unanimously approved.

** Keith Martin excused himself from the meeting because of an employment conflict with Tents-for-Rent. **

3. Tents-for-Rent – Escrow Release

Bob Lynn, Hanover Engineering, noted that the As-Built Plan includes two rain water cistern tanks on the western side of the building. The tanks were not a part of the approved plan/stormwater design. The applicant shall provide the necessary analysis to verify the water quality and groundwater recharge requirements of the Clay Township Stormwater Management Ordinance are still being met with the revised drainage patterns.

Gary Landis made a motion, seconded by Tim Lausch to approve the Escrow Release in the amount of \$55,807.18 leaving an escrow balance of \$33,566.27 as recommended by Hanover Engineering Associates. * The motion was unanimously approved.

** Keith Martin returned to the meeting. **

Old Business

None

New Business

1. Controlled Burning Procedures

Don Moyer, Fire Chief at Durlach MtAiry Fire Company, discussed his thoughts regarding requiring individuals to obtain a “burn permit” and permission from the Fire Chief before engaging in a controlled burn. This process would ensure that only permissible items would be burned.

The Board of Supervisors asked Don Moyer and the Township Manager to develop a burn permit, policies and procedures and submit to them for review.

2. Approve Advertising for 2015 Meeting Dates

Keith Martin made a motion, seconded by Gary Landis to approve advertising of the 2015 Clay Township Meeting Dates. * The motion was approved unanimously.

3. Adoption of Susquehanna Trust Agreement

Keith Martin made a motion, seconded by Gary Landis to approve and execute the Susquehanna Trust Workers Compensation agreement. * The motion was approved unanimously.

4. Approve Advertising of Intent of Appointment of Independent Auditor

Gary Landis made a motion, seconded by Keith Martin to approve advertising of the Board of Supervisors intent to hire Weinhold & Nickel LLP as independent auditor of the Clay Township 2104 financial records. * The motion was approved unanimously.

5. Approve Advertising for Budget Meeting

Gary Landis made a motion, seconded by Keith Martin to approve advertising of a special meeting to approve the 2015 budget on Monday, December 22, 2014 at 6:30 p.m. * The motion was approved unanimously.

6. Approve Advertising Ordinance to Execute Updated PSATS Unemployment Compensation Group Trust Account Agreement

Gary Landis made a motion, seconded by Keith Martin to approve advertising of Ordinance to update agreement with PSATS on collection of unemployment compensation. * The motion was approved unanimously.

7. Approve use of Township Facility for Collection of Real Estate Taxes by Tax Collector

Keith Martin made a motion, seconded by Gary Landis to approve use of the Township building by the Tax Collector to collect real estate taxes on dates listed on the 2015 tax bills. * The motion was approved unanimously.

Executive Session

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session to discuss potential litigation and personnel issues. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session. * The motion was unanimously approved.

8. Non Payment of 2014 Street Light Charges

The Township Manager informed the Board of Supervisors that four Township residents have not paid their 2014 street light charge. The Township code allows a lien to be placed on the properties for the unpaid charge.

Gary Landis made a motion, seconded by Keith Martin to authorize the Township Manager to proceed with placing a lien on the properties. * The motion was unanimously approved.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$24,240.27 for the month of November. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$238.26 for the month of November. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$4,947.25 for the month of November. * The motion was approved unanimously.

Reports for the Month

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
3. DMR
4. Solicitor's Report
5. Engineer's Report
6. Planning Commission Minutes
7. Manager's Report
8. Road Master's Report

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 11:15 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary