

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
December 12, 2016

The Supervisors of Clay Township met on a regularly scheduled meeting date of December 12, 2016, 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 Tim Lausch, Chairman and Keith Martin, Vice-Chairman. Gary Landis, Secretary was absent due to work conflict.

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

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

Tim Lausch called the Meeting to order at 7:00 p.m.

**Meeting Minutes**

The October 10, 2016 meeting minutes were tabled due to no quorum at meeting. Tim Lausch was absent from the October meeting.

Keith Martin made a motion, seconded by Tim Lausch to approve the November 14, 2016 meeting minutes as printed in the December 12, 2016 Agenda. \* The motion was unanimously approved.

**Treasurer's Report**

Keith Martin made a motion, seconded by Tim Lausch to approve the Treasurer's Report for the months of October 2016 and November 2016. \* The motion was unanimously approved.

**Visitors**

1. Ephrata Public Library

Barbara McCaffrey, Clay Township resident and Library supporter, made an appeal for the Township to donate additional funds in 2017. She stated that there is possibility of staff reduction in hours and benefits if new funds are not received in the new year. Mrs. McCaffrey thanked the Board of Supervisors for their current and past support of the Library.

Lou Katz stated that Library employees don't know how funds received are spent and he has concerns with the new building that the Library owns and is planning to rent.

Bruce Leisey stated that the Township does receive a copy of the Library's budget and has reviewed income and expenses.

Barbara McCaffrey said that funds from grants and specific donations were received to renovate the new building and the rental income received from the building will be used to support the Library.

No decisions were made at this time.

## 2. John Gooding – Proposed Fly Fishing Gathering

John Gooding reviewed his proposed Fly Fishing Gathering with the Board of Supervisors and staff. Mr. Gooding stated he will work with Township Staff on parking location and issues with traffic especially at Rt 322 and Clay Road.

Tom Zorbaugh, Zoning Officer, stated that since the event is on private property the Township should be made aware of the event details.

No other decisions were made at this time.

## 3. James Martin, 615 Sunnyside Road

Mr. Martin inquired on an update for the traffic concerns he had voiced previously.

Bruce Leisey, Township Manager, stated that he has not received the traffic information from the Police. He will contact them to follow up.

Mr. Martin asked about a time deadline on a building permit that he received and inquired if "children at play" signs could be placed on Sunnyside Road at his residence.

Bruce Leisey said he will look into the "children at play" sign with the Road Master.

#### 4. Lou Katz

Mr. Katz stated that the new construction on Clay School Road site still does not have silt fence installed.

Bob Lynn, Township Engineer, is working with the builder to get the silt fence installed at the site.

Mr. Katz also voiced concerns with the house being built in Clearview Gardens. He stated that there is rocks and materials on the road.

The Township Staff will visit the job site to check the conditions.

### **Engineer's Report**

#### 1. Edwin Kurtz – Escrow Release Request

Bob Lynn reviewed the Hanover Engineering letter regarding the escrow release request with the Board of Supervisors. Bob recommends approval of the As-Built Plans waiver request.

Keith Martin made a motion, seconded by Tim Lausch to approve the waiver request of the As-Built Plans for Edwin Kurtz. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Tim Lausch to approve an escrow reduction in the amount of \$36,703.98, leaving a balance of \$1,082.15. \* The motion was unanimously approved.

Mr. Kurtz will provide a cash escrow in the amount of \$1,082.15. After receipt of the cash escrow, the Township will release the entire Letter of Credit.

Mr. Kurtz is also concerned that the inspection was done on 10/17/16 and the Hanover escrow letter was dated 12/1/16 which did not give him time to complete seeding before winter and now he must hold escrow balance till Spring.

#### 2. EKM Martin Eggs – Land Development Plan

Tom Matteson, Diehm & Sons, Harvey Burkholder, EKM and Gary Martin, EKM and Linford Martin, EKM reviewed the plan with the Board of Supervisors.

The property is situated on the Southeast corner of the intersection of Wissler Road and West Main Street (SR-0322). Martin's Eggs is located on the 7.6 acre property. A land development plan was completed for the site in 2004. Stormwater was completed for that project with a

detention basin. The 2004 project anticipated future impervious and included additional areas in the detention basin design. The current plan proposes a 33,650 sq ft building addition.

Bruce Leisey informed the Board of Supervisors that the Planning Commission determined that the stripe would meet the intent of Sections 612.B.3 and 612.B.4. It was agreed that the installation of the stripe was unique to this project since the lot being developed is a double frontage lot.

Keith Martin made a motion, seconded by Tim Lausch to approve the following deferral and waivers request. \* The motion was unanimously approved.

#### Section 408 – Traffic Impact Study

The applicant has requested a waiver of the requirement to submit a Traffic Impact study. The justification provided is that when this site was initially developed in 2004, improvements were undertaken to accommodate the business and its impact to the adjacent roadway network. The applicant states that the proposed expansion is warehouse space only and does not represent a significant intensification of the existing use and that the project's design engineer has provided a trip generation report that provides an estimate of the additional traffic per ITE Trip Generation Manual. The applicant feels that based on the limited amount of additional traffic, a full Traffic Impact Study is unnecessary. There is no objection to the requested modification with the provided trip generation report and justification provided, subject to applicant clarifying that the number of existing employees and the number of employees to be added are part of the proposed expansion.

#### Section 409 – Environmental Impact Study

The applicant has requested a waiver of the requirement to submit an Environmental Impact Study. The justification provided is that it has been anticipated from the original development of the site that a building addition would be located on this part of the property and that the building is only warehouse space and will result in minimal new employees. The applicant states that the additional warehouse space will have no impact on the economic resources, educational facilities, public services or environmental resources of the Township and that a wetland evaluation and PNDI inquire have been included with the application and that both indicated no impact to significant environmental or historical resources. There is no objection to the waiver with the condition that a summary of the proposed minimal new employee count be provided to the Township as part of the justification.

#### Section 603.B – Sidewalks required along all adjacent streets

The applicant has requested a deferral of the requirement to install sidewalks along all adjacent streets. The justification is that when the original development of the site was approved in 2004, the sidewalks were deferred. The applicant has stated that in the meantime, the Township has never felt the need to impose on the Owner to install the sidewalks. The applicant is requesting this sidewalk deferral to maintain that status quo. The applicant is with the understanding of that at any time the Township Supervisors believe the sidewalk needs to be installed, the applicant will install them and that a note has been placed on the submitted Final Plan noting the installation of the sidewalk at the request of the Township. There is no objection of the deferral based on the justification provided.

Section 301.J.5 and Section 11-504.A – Geological Evaluation

The applicant has requested a waiver of the requirement to submit a Geological Evaluation whenever a stormwater facility will be located in an area underlain by Carbonate Geology. The applicant states that the site is underlain by Carbonate Geology and that a cistern is being utilized to mitigate stormwater flows and that the cistern will be watertight, thereby eliminating any infiltration through the cistern. There is no objection of the waiver based on the justification provided.

Section 307.E.1.a – Cistern to dewater within 72 hours

The applicant has requested a waiver of the requirement for a cistern to dewater within 72-hours. The applicant states that the proposed cistern will supply water for egg washing and outside faucets and that the dewatering time has been calculated to be approximately 3.8 weeks. The applicant notes that the cistern will be utilized on a daily basis. The applicant has indicated that a dewatering time of three (3) days does not provide a reliable water source and that the operation anticipated drawing 25,000 gallons of water from the cistern each week and that water reuse is a method of stormwater control listed in the PA BMP Manual and that the NPDES permit has been obtained for this project utilizing the cistern design. The applicant has noted that the project's design engineer has designed the cistern to be tributary to the detention basin that we designed as part of the 2004 Land Development Plan which anticipated the future impervious area, and did not include the cistern in the basin's design.

Keith Martin made a motion, seconded by Tim Lausch to approve the plan contingent on compliance with the Hanover Engineering letter dated 9/26/16. \* The motion was unanimously approved.

**Old Business**

1. Snyder Park Pavilion Construction Contracts

Keith Martin made a motion, seconded by Tim Lausch to authorize signatures on bid contracts #1, #2 and #3. \* The motion was unanimously approved.

**New Business**

1. 2017 Budget Discussion

Bruce Leisey, Township Manager, reviewed the 2017 Budget with the Board of Supervisors and audience.

Tom Zeager asked what the total budget expenditures of all funds are.  
Bruce Leisey said 3.3 million.

Craig Merkey asked if the Township will be raising taxes.

Keith Martin stated not in 2017.

Tom Zeager thanked the Board of Supervisors and Township Staff for their excellent job during the year and being able to hold the line on taxes.

2. Accept Resignation of Michael J Corcoran as EMA Coordinator

Keith Martin made a motion, seconded by Tim Lausch to accept the resignation of Michael J Corcoran as the EMA Coordinator. \* The motion was approved unanimously.

The Board of Supervisors thanked him for his time and years of service.

3. Approve Advertising of 2017 Meeting Dates

After review, Keith Martin made a motion, seconded by Tim Lausch to approve advertising of the 2017 Meeting Dates. \* The motion was approved unanimously.

**Bills to be Paid**

General Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the General Fund bills totaling \$25,895.30 for the month of November. \* The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the Recreation Fund bills totaling \$3,296.04 for the month of November. \* The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the Sewer Fund bills totaling \$3,089.68 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. Planning Commission Minutes
4. Engineer's Report
5. Manager's Report
6. Road Master's Report

**Adjournment**

Keith Martin made a motion, seconded by Tim Lausch, to adjourn the meeting at 9:35 P.M. \*The motion was approved unanimously.

Clay Township Board of Supervisors

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Timothy Lausch, Chairman

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Keith Martin, Vice Chairman

\_\_\_\_\_ ABSENT \_\_\_\_\_  
Gary Landis, Secretary