

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
December 9, 2019

The Supervisors of Clay Township met on a regularly scheduled meeting date of December 9, 2019, 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, Keith Martin, Vice-Chairman and Gary Landis, Secretary.

Also, present was Bruce Leisey, Township Manager, Bob 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 6:34 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Gary Landis to approve the November 11, 2019 meeting minutes. * The motion was unanimously approved.

Treasurer's Report

Gary Landis made a motion, seconded by Keith Martin to approve the Treasurer's Report for the month of November 2019. * The motion was unanimously approved.

Visitors

1. Rick Bernaducci – Wildflower Pond HOA

Mr. Bernaducci informed the Board of Supervisors that residents are not obeying the no parking signs posted.

After discussion, it was decided Township Staff will look into the cost of replacing the current signs since there appears to be confusion as to where parking is allowed. The Board of Supervisors will also send notification to property owners who have basketball nets on the streets and sidewalks to have them removed.

2. David Golias, 404 Flaxen Lane and Peggy Paul, 513 Foggy Bottom Road

Mr. Golias and Ms. Paul informed the Board of Supervisors of their concern with the stormwater swale and the condition of Ms. Paul's rear yard when there are heavy rains. Their specific concern was with the water that flows from the Home Towne Square basin behind Ms. Paul's home which is designed to sheet flow over a level spreader into the swale and into a 15' pipe on the side of her property. Ms. Paul stated that rather than the water flowing into the pipe and the swale draining out in a reasonable period of time, the water collects in the swale and doesn't dry enough to allow Ms. Paul to cut her grass.

Ms. Paul presented an unsigned easement agreement between the prior property owner and Home Towne Square. Township Staff believes that the issue was previously addressed with Home Towne Square and they met with the previous owner of the property to discuss a solution.

Township Staff will research and follow up at the next meeting.

Engineer's Report

1. Ephrata Community Church – Escrow Release Request

Township Staff reviewed the escrow release request with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to release escrow in the amount of \$36,130.37, retaining a balance of \$50,468.50. * The motion was unanimously approved.

2. HomeTowne Square Phase 4B – Approve Financial Security, Land Development, Storm Water and Homeowners Agreement

Township Staff reviewed the Hanover Engineering letter dated 12/3/19 and Agreements with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve Financial Security Bond in the amount of \$407,049.77. * The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to approve Resolution #120919 and 120919A accepting Deed of Dedication in Lieu of Condemnation for Right-of-Way along the Northeast side of Hackman Road from Mike and Lisa Gable and Home Towne Square. * The motion was unanimously approved.

3. Daniel Esh – Request for Modification of Storm Water Management Planning

Daniel Esh, 415 Indian Run Road is requesting a modification to the Clay Township Storm Water Management Ordinance to install a 10,000 gallon cistern/tank to collect stormwater from two 54'X100' permanent greenhouses and 2'X2'X200' trenches placed on the long sides of two additional temporary greenhouses 54'X100' to collect stormwater. The temporary greenhouse will not be totally covered more than 12 weeks each year.

Gary Landis made a motion, seconded by Keith Martin to approve Mr. Esh's modification of the Clay Township Storm Water Management Ordinance as noted above. * The motion was unanimously approved.

4. Hopeland Mennonite Church – Escrow Release

Township Staff reviewed the Escrow Release Request with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to release cash escrow in the entire amount of \$6,071.00. * The motion was unanimously approved.

Old Business

1. Hopeland Sewer I&I Bid Award

Township Staff reviewed the bids received with the Board of Supervisors.

After discussion, a decision on awarding the bid was tabled until the 12/19/19 meeting.

New Business

1. Discussion on 2020 Proposed Budget

The Township Manager reviewed the Proposed 2020 Budget with the audience and Board of Supervisors. There was discussion on including construction of a fueling island canopy in the 2020 budget. Township Staff will research cost for the 12/19/19 meeting.

2. Approve 2020 Meeting Dates

After review, Keith Martin made a motion, seconded by Gary Landis to approve the 2020 Township Meeting Dates. * The motion was unanimously approved.

3. Review Draft Ordinance Amending Forestry Ordinance

Township Staff reviewed the draft Forestry Ordinance with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to authorize Township Staff to send the draft to the Attorney General's Office for review and comment before advertising for adoption. * The motion was unanimously approved.

4. Approve CM High Traffic Signal Preventative Maintenance Proposal

Keith Martin made a motion, seconded by Gary Landis to approve the 2020 CM High Traffic Signal Preventative Maintenance Proposal in the amount of \$1,395.00. * The motion was unanimously approved.

5. Zoning Officer Report

Tom Zorbaugh reviewed his monthly report with the Board of Supervisors.

Executive Session

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 9:15 pm to discuss potential litigation. * The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to exit Executive Session at 9:55 pm. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to approve the request to connect to the Hopeland Sewer Plant from Brian Royer for the property located at 595 Hopeland Road. * The motion was unanimously approved.

There was discussion on Ephrata Authority Sewer Agreement. No decisions were made at this time.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$43,241.83 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 \$10,229.40 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 \$2,491.75 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. Solicitor's Report
5. Engineer's Report
6. Manager's Report
7. Road Master's Report
8. Zoning Officer's Report

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 10:15 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary