

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
January 13, 2020

The Supervisors of Clay Township met on a regularly scheduled meeting date of January 13, 2020, 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**

Gary Landis made a motion, seconded by Keith Martin to approve the December 9, 2019 meeting minutes. \* The motion was unanimously approved.

**Treasurer's Report**

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

**Visitors**

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

Mr. Golias and Ms. Paul reviewed Ms. Paul's stormwater concerns with the Board of Supervisors. Mr. Golias stated that Landmark had offered the previous property owner an option to replace the level spreader with a concrete channel to connect the basin outfall pipe to the pipe in Ms. Paul's yard. Mr. Golias stated that the previous property owner declined the option.

There was discussion on the legality of the low flow channel and its discharge onto Ms. Paul's property.

The Township Engineer and Solicitor stated the plan was in compliance with the Ordinances in effect at the time of completion and an easement was not necessary to direct the basin discharge onto Ms. Paul's property.

Rick Berniduci asked the Board of Supervisors if they would attempt to set up a meeting with Ms. Paul and Landmark to discuss possible solutions for her concerns.

The Board of Supervisors authorized Bob Lynn to inspect the level spreader to determine if it is functioning properly and authorized Jennifer Mejia to contact Landmark to request a meeting between Ms. Paul and Landmark.

\*\* Gary Landis excused himself from the meeting because of a financial interest in the next property discussed. \*\*

## 2. Chris Landis, 80 Durlach Hill Road

The Board of Supervisors is planning to rebuild and widen Durlach Hill Road.

Mr. Landis has a tobacco shed that is located approximately 8' off the current cartway. Mr. Landis is receptive to replacing his building with another building that would be located 15' off of the proposed widen cartway. This would allow the Township to widen Durlach Hill Road to 22'. Mr. Landis' building is non-conforming in that it is in the front yard setback. The new proposed building would still be in the front yard setback but farther off the cartway and out of the right-of-way.

The Board of Supervisors and Mr. Landis agreed to request relief from the Zoning Hearing Board to locate the new proposed building in the front yard setbacks.

Keith Martin made a motion, seconded by Tim Lausch to authorize Township Staff to participate in the Zoning Hearing and waive fees associated with the Zoning Hearing. \* The motion was unanimously approved.

\*\* Gary Landis returned to the meeting. \*\*

## **Engineer's Report**

### 1. Home Towne Square Phase 2 – Escrow Release Request

Bob Lynn 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 \$158,109.04, leaving a balance of \$109,406.35. \* The motion was unanimously approved.

### **Old Business**

#### 1. Update Growing Greener Grant

Bruce Leisey reviewed the grant status with the Board of Supervisors.

Township Staff will develop an invitation letter to farm educational meeting and farm visits.

#### 2. Resolution regarding State Game Land PLT

Township Staff reviewed the proposed resolution with the Board of Supervisors.

It was agreed to add information on number of incidents involving police and emergency services to the resolution.

### **New Business**

#### 1. Execute Notice of Award of Bid for Sewer Project

After review of notice, Keith Martin made a motion, seconded by Gary Landis to execute the Notice of Award of bid for the Sewer Project. \* The motion was unanimously approved.

#### 2. Approve Membership to Lancaster County Clean Water Consortium

After review, Gary Landis made a motion, seconded by Keith Martin to approve payment of \$500 for membership to the Lancaster County Clean Water Consortium for 2020. \* The motion was unanimously approved.

#### 3. Approve Attendance at PSATS Convention

Keith Martin made a motion, seconded by Gary Landis to approve cost of attendance (\$160 per person) for the PSATS Convention on May 3, 2020 to May 6, 2020 for Tim Lausch, Keith Martin, Gary Landis and Bruce Leisey. \* The motion was unanimously approved.

4. Approve Certification of Unpaid Taxes

After review of documents submitted by Deb Zerbe, Tax Collector, Gary Landis made a motion, seconded by Keith Martin to approve execution of Certification of Uncollected Real Estate Taxes in the amount of \$6,769.36. \* The motion was unanimously approved.

5. Ephrata Area Joint Authority

Gary Landis updated the Board of Supervisors on the December EAJA meeting.

**Executive Session**

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 8:36 pm to discuss potential litigation. \* The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to exit Executive Session at 9:25 pm. \* The motion was unanimously approved.

There was discussion on the proposed Ephrata Borough Sewer Service Agreement and a recorded Access Easement between properties located along Laurel Drive.

**Bills to be Paid**

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$58,734.80 for the month of December. \* The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$248.25 for the month of December. \* The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$5,713.40 for the month of December. \* 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 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

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Gary Landis, Secretary