

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
January 8, 2018

The Supervisors of Clay Township met on a regularly scheduled meeting date of January 8, 2018, 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, 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 6:35 p.m.

**Meeting Minutes**

Keith Martin made a motion, seconded by Gary Landis to approve the December 11, 2018 meeting minutes as printed in the January 8, 2018 Agenda with the following changes page 2, 5<sup>th</sup> paragraph, 1 sentence change “conditional” to “conditionally”; page 4 last paragraph 10<sup>th</sup> line change “option” to “opinion” and “curing” to “curbing”; page 5, 1<sup>st</sup> line change “curing” to “curbing” and page 9, Item 6, line 2 change “sent” to “send”. \* 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 December 2017. \* The motion was unanimously approved.

**Visitors**

1. Chris and James Martin, 615 Sunnyside Road

Chris and James Martin are planning to build a green house on their property. They were informed by Township Staff their property is over its stormwater exemption and small project impervious area allotments and that they will need to process a stormwater management plan.

Chris and James Martin asked Township Staff if their engineer (David Keener) has submitted a plan with the Township.

The Township Manager informed them no plan has been received.

It was decided Township Staff will contact Mr. Keener regarding the plan.

### **Engineer's Report**

#### 1. J Wilmer Thomas – Request to Defer Posting of Improvement Guarantee

The Township Staff reviewed the Thomas' request with the Board of Supervisors.

The Board of Supervisors was in favor of granting relief from Section 502 of the Clay Township SALDO to complete the improvements associated with this subdivision plan or provide financial guarantee due to the fact that construction on the newly subdivided lot has been placed on hold for the foreseeable future.

Gary Landis made a motion, seconded by Keith Martin to approve Developer's request to record plan approved November 13, 2017 without posting of Required Financial Security conditioned upon Developer's representation that Plan is being recorded at this time so proposed lot-add on may be finalized. Developer will enter into an Agreement with the Township, at Developer's expense. Said Agreement shall be recorded. Approval is also conditioned upon Developer's agreement that prior to any earth disturbance on the property, Developer shall contact the Township and Developer agrees he will be required to install stormwater improvements as shown on plan or as required by successive Ordinance, at the discretion of the Township. \* The motion was unanimously approved.

#### 2. Jay Zimmerman – Approve As-Build Plans

Bob Lynn reviewed the Zimmerman As-Built Plans with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve the Zimmerman As-Built Plans as recommended in the Hanover Engineering letter date January 5, 2018. \* The motion was unanimously approved.

#### 3. Jesse Kinsinger – Approval of Improvement Guarantee Amount

Bob Lynn reviewed the request with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve the Stormwater Management Plan subject to conditions as recommended in the Hanover Engineering letter dated January 5, 2018; Improvement Guarantee in the amount of \$37,577.12; MOU; Stormwater Agreement and payment of Stormwater Maintenance Inspection Fee in the amount of \$620.00. \* The motion was unanimously approved.

#### 4. Tim's Auto Body – Time Extension Request

After Township Staff review, Gary Landis made a motion, seconded by Keith Martin to approve the Time Extension Request for 90 days or until March 24, 2018. \* The motion was unanimously approved.

### **Old Business**

#### 1. HomeTowne Square Stormwater Notice of Violation

Jennifer Mejia informed the Board of Supervisors that Township Staff reviewed notice from Lincoln Land Group of its intent to convert basin #1 and #2 to the final Post Construction Stormwater Management Condition and to request that the Stormwater Malfunction Notice dated 9/23/11 be rescinded.

Lincoln Land Group will attend the February 12, 2018 Board of Supervisors meeting to discuss in further detail.

Jennifer Mejia will forward a copy of the request to Peaceable Kingdom Animal Hospital's attorney and the Eberly's.

No decisions were made at this time.

#### 2. Wildflower Pond Road Dedication

Bruce Leisey informed the Board of Supervisors that Township Staff recommends the Developer reimburse the Township 11 years of the estimated Liquid Fuel allocation monies that would have been received if the roads would have been dedicated to the Township in a timely manner. The reimbursement amount recommended is \$32,170.

Keith Martin made a motion, seconded by Gary Landis to authorize Bruce Leisey to send a letter to the Developer informing him of the Township's request for reimbursement of Liquid Fuel funds. \* The motion was unanimously approved.

### **New Business**

#### 1. Approve Tax Exoneration for 88 Willow Drive

Gary Landis made a motion, seconded by Keith Martin to approve the municipal real estate tax exoneration for 88 Willow Drive. \* The motion was unanimously approved.

2. Approve PSATS Dues and Attendance at Conference

Keith Martin made a motion, seconded by Gary Landis to authorize payment of dues in the amount of \$1,557.00 and approve attendance and payment of attendance fees to the conference on April 22, 2018 to April 25, 2108 for Bruce Leisey, Tim Lausch, Gary Landis, Keith Martin and Earl Stauffer. \* The motion was unanimously approved.

3. Discussion on Resolution to Oppose HB1620

Township Staff reviewed correspondence received from PSATS on HB1620 which would amend the Wireless Broadband Collocation Act to provide a state-wide preemption of local zoning for wireless facilities.

Gary Landis made a motion, seconded by Keith Martin to adopt Resolution 010818 to oppose HB 16206 proposed amendment to Wireless Broadband Infrastructure Deployment and Collocation Act as recommended by PSATS in consideration of expansive nature of proposal and further limitations it places on municipalities right to zone and to regulate facilities within its right of way. \* The motion was unanimously approved.

4. Discussion on Appointment of Audit Firm to Perform 2017 Audit

Tabled till Executive Session

5. Approve 2018 Mobile Home Park Permit Renewals

After discussion, Gary Landis made a motion, seconded by Keith Martin to approve and execute the 2018 Mobile Home Park Permit Renewals for Country Lane Village, Countryside Ent, Victoria Manor Estates, Meadow Valley Estates North and Clay School Acres. \* The motion was unanimously approved.

Tom Zorbaugh will complete follow up inspections Red Maple Mobile Home Park and Valley View Mobile Home Park.

6. Execute Certification of Uncollected Real Estate Taxes

Keith Martin made a motion, seconded by Gary Landis to authorize the Township Manager to review and execute the Certification of Uncollected Real Estate Taxes when received. It was noted that Lancaster County's computer system was unavailable, and the Clay Township Tax Collector was not able to complete the report for this meeting. \* The motion was unanimously approved.

#### 7. Discuss Valley View Mobile Home Park Proposed Lot Add-On

Township Staff informed the Board of Supervisors that some of the mobile homes on Sunflower Drive encroach on the neighboring property.

Township Staff recommended the Applicant seek zoning relief and complete a lot add-on plan.

No other decisions were made at this time.

#### 8. Farm Master

The Township Manager informed the Board of Supervisors that as a part of Farm Master's 1991 plan, public sewer hook-up was required. At that time Ephrata Borough did not have sufficient capacity nor were there sewer lines in the vicinity. Because of this PA DEP allowed them to utilize a holding tank until capacity was available and the sewer lines were extended.

Ephrata Borough now has the capacity and the lines will be extended in the near future.

The Board of Supervisors authorized the Township Manager to inform Farm Master of the requirement to connect to public water and sewer.

### **Executive Session**

Gary Landis made a Motion, seconded by Keith Martin for the Board to enter into executive session to discuss personal issues. The motion passed unanimously, and the Board entered executive session at 8:18 p.m.

The Board returned, and Gary Landis made a motion seconded by Keith Martin to come out of executive session at 9:25 p.m. The motion passed unanimously.

### **New Business**

#### 4. Discussion on Appointment of Audit Firm to Perform 2017 Audit

After discussion, it was decided to inform Weinhold & Nickel of the Township's intent to contract with them to perform the 2017 Financial Audit if a favorable response that Weinhold & Nickel can complete the audit in a timely manner is received by 1/12/18. If Weinhold & Nickel is not able to complete the audit in a timely manner, the Board of Supervisors will contract with Herbein & Company, Inc from Reading, PA.

Keith Martin made a motion, seconded by Gary Landis to authorize the Township Manager to advertise the Board of Supervisors' intent as noted. \* The motion was unanimously approved.

\*\*Tim Lausch excused himself from the next item as he is a potential applicant for the position.

#### 9. Review Applications for Public Works Position

After review and discussion, Gary Landis and Keith Martin authorized Gary Landis, Earl Stauffer and Bruce Leisey to interview applicants for the Public Works position and recommend 3 or 4 applicants for the Board of Supervisors to interview.

### **Bills to be Paid**

#### General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$155,093.25 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 \$877.67 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 \$3,743.77 for the month of December. \* The motion was approved unanimously.

### **Reports for the Month**

3. 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 Gary Landis, to adjourn the meeting at 9:30 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