

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
June 11, 2018

The Supervisors of Clay Township met on a regularly scheduled meeting date of June 11, 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**

Gary Landis made a motion, seconded by Keith Martin to approve the May 14, 2018 meeting minutes as printed in the June 11, 2018 Agenda with the following addition on page 3, New Business #1, end of first paragraph: Keith Martin expressed that he is in favor of the stormwater exemption for temporary high tunnels, but he has concerns with what is defined as “temporary” in the House Bill. \* 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 May 2018. \* The motion was unanimously approved.

**Visitors**

1. Dennis and Donna Thomas, 280 Stony Lane

Discussion on stormwater concerns was held under Old Business #1.

## **Engineer's Report**

### 1. Wildflower Pond – Road Dedication Update

Bob Lynn informed the Board of Supervisors that street repairs are scheduled in the next few weeks.

Jennifer Mejia informed the Board of Supervisors that the temporary cul-de-sacs have been legally turned into permanent cul-de-sacs with the exception of Sweet William Way. Extinguishing that easement will be executed by the Board of Supervisors in New Business #3.

### 2. HomeTowne Square – Storm Water NOV

Jennifer Mejia informed the Board of Supervisors she has received correspondence that both parties involved have come to an agreement on a resolution and are finalizing the Agreement which should be executed by the July Board of Supervisors meeting.

Jennifer Mejia will inform Representatives of HomeTowne Square to provide an update before the June 26, 2018 Board of Supervisors meeting.

### 3. Jesse Kinsinger – Approval to Record Plan after 90 Days of Signing

Representatives of Mr. Kinsinger have requested relief from the requirement to record a plan within the 90 days of signing the plan.

Gary Landis made a motion, seconded by Keith Martin to approve Mr. Kinsinger's request and forward a Letter of Acknowledgement to the Lancaster County Recorder of Deeds Office. \* The motion was unanimously approved.

### 4. Hopeland Mennonite Church – Time Extension Request

Keith Martin made a motion, seconded by Gary Landis to grant a 90-day time extension to take action on the plan, new date is September 21, 2018. \* The motion was unanimously approved.

## **Old Business**

### 1. Furnace Hill Road, Stony Lane and Camp Road Stormwater Discussion

Bob Lynn informed the Board of Supervisors and Audience that he and Bruce Leisey met with Donna and Dennis Thomas and Fred Hubach about installing a new stormwater pipe between their properties. The Thomas' and Hubach's have concerns with the installation which Bob is looking into.

Bob Lynn said on the property owned by Rolling Rock stormwater drains down their driveway and erodes the driveway to Stony Lane.

Bob also said we have had 11" of rain over normal to date.

Donna Thomas said "put stormwater" in pipe through Keith Martin's field and down to pipe on West Girl Scout Rd.

Dennis Thomas has concerns with allowing all stormwater to flow in front of their house. He is also concerned with potential overflow and underground seep from the water basin being proposed across from their house.

Dennis Thomas said, "get the stormwater to go to the Middle Creek watershed".

Justin Harnish asked what is needed to allow the diversion to a different watershed? Who makes that decision?

Jennifer Mejia said a voluntary plan to divert water into a different watershed may be possible, but it would require all property owners in the area to be in agreement but, a forced move with parties not in agreement is not an option. Attorney Mejia would need to research the matter further.

Justin Harnish said that if the stormwater above his house was redirected across Stony Lane it would account for less 20% of the stormwater reaching the Thomas property. Justin said that he feels a combination of berms, basins and pipes seems to be the best option.

Keith Martin said basins will not hold the stormwater but meter stormwater through a pipe. Keith also said that he is not interested in taking stormwater through the field unless it is through a pipe.

Bob Lynn and Bruce Leisey will review the information with the Hubach's.

No decisions were made at this time.

2. Two Cousins Plaza – NOV

Gary Landis asked if anything was being done to eliminate the weeds on the Two Cousins' property.

Bruce Leisey informed the Board of Supervisors a letter will be sent out tomorrow to the property owner and Tom Zorbaugh will follow up.

**New Business**

1. Approve Authorized Official Resolutions for Multimodal Transportation Grant and Mariner East II Pipeline Grant

After review, Keith Martin made a motion, seconded by Gary Landis to approve Resolution #061118 to authorize the Township Manager to execute the grant applicant for Multimodal Transportation Grant and Resolution #061181A for the Mariner East II Pipeline Grant. \* The motion was unanimously approved.

2. Approve Attendance at July 31, 2018 LCATS Meeting

Gary Landis made a motion, seconded by Keith Martin to authorize attendance at the LCATS Meeting at a cost of \$23 per person. Bruce Leisey will send RSVP when number attending is known. \* The motion was unanimously approved.

3. Execute Agreement Extinguishing Sweet William Way Temp Cul-De-Sac

After review, Gary Landis made a motion, seconded by Keith Martin to execute the Agreement extinguishing the existing easement on Sweet William Way cul-de-sac. \* The motion was unanimously approved.

4. Approve Use of Snyder Park for Ephrata Community Church Community Day

Township Staff received a request from Ephrata Community Church to use the new Snyder Park #2 pavilion and fields for a Community Day event on September 30, 2018.

Gary Landis made a motion, seconded by Keith Martin to approve the request with no park rental fee charged. \* The motion was unanimously approved.

5. Approve and Execute Pension Investment Management Agreement

After discussion, it was decided to table a decision till the June 26, 2018 meeting so the Solicitor and Township Manager can have additional time to review.

6. 918 Hannah Drive – Request to Connect Sump Pump to Stormwater Facility

Bruce Leisey, Bob Lynn and Earl Stauffer reviewed the request with the Board of Supervisors. It was decided to request a PA One Call to determine the location of any utilities in the vicinity of the area between the property requesting to connect and the stormwater facility.

No decisions were made at this time.

7. Mark Ulrich – Request to Connect to Public Water and Sewer

Mr. Ulrich owns a vacant lot along the south side of West Main Street and is interested in boring under West Main Street to connect to public water and sewer. He is having difficulty in getting approval from the Ephrata Borough Authorities.

Township Staff will meet with Ephrata Borough Authorities to try to expedite a solution.

8. Concerns with Countryside Development Stormwater Facility

Diane Pomroy at 230 Meadowlark Drive informed Bruce Leisey of sediment accumulating on the concrete swale behind her residence. She said the sediment is causing stormwater to pond on the concrete swale.

Bruce Leisey and Earl Stauffer verified the situation and will have Public Works employees remove the sediment.

The Board of Supervisors authorized Bruce Leisey to notify the HomeTowne Square that sediment leaving their construction site is accumulating on a Township stormwater facility and steps must be taken to eliminate the discharge.

## 9. Pipe Cleaning and Televising Line

Bob Lynn informed the Board of Supervisors that there appears to be a belly in the sanitary sewer line in Matthew Drive near the intersection of Daniel Drive.

Gary Landis made a motion, seconded by Keith Martin to authorize Bob Lynn to contract to clean and televise the sewer line to determine extent of belly in the line at a price not to exceed \$3,500.

\* The motion was unanimously approved.

## 10. 985 Maple Street – Request for Relief from 2018 Sewer Billing

The Board of Supervisors received a request from the Power of Attorney for Mary Ann Bucher who owns the property at 985 Maple Street for a request for relief from the 2018 sewer fees. The request states that the home has been vacant since May 2017. It also states that the house will be sold in August 2018.

It was discussed that since the sewer fee billed is a minimum flat fee and there is no means to verify the sewage system is not being used, the Board of Supervisors declined the relief request. However, the Board of Supervisors authorized Bruce Leisey to not charge any penalty fees on the account for 2018. Bruce Leisey will send a letter to the Power of Attorney with the Board of Supervisors decision.

### **Executive Session**

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 9:11 PM to discuss potential litigation issues. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 9:45 PM. \* The motion was unanimously approved.

The Board of Supervisors discussed issues related to the Ephrata Borough and Clay Township Sewage Disposal Agreement and issues related to potential stormwater violations.

**Bills to be Paid**

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$163,759.03 for the month of May. \* The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$1,723.51 for the month of May. \* The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$3,908.50 for the month of May. \* 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 Gary Landis, to adjourn the meeting at 9:51 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