

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
May 14, 2018

The Supervisors of Clay Township met on a regularly scheduled meeting date of May 14, 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 April 9, 2018 meeting minutes as printed in the May 14, 2018 Agenda. * 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 April 2018. * The motion was unanimously approved.

Visitors

None

Engineer's Report

1. Wildflower Pond – Road Dedication Update

Jennifer Mejia informed the Board of Supervisors of following items:

- Curbs and streets have been inspected. Repair requirements were provided to Developer on 12/1/17. Upon completion of the repairs and subsequent inspection and acceptance of repairs by Township/Township Agent, curbs and streets will be acceptable to the Township.

- Township proposed reimbursement for the Liquid Fuel money that would have been received by the Township had the streets been dedicated in a timely fashion. The amount was estimated at \$30,000.
- Pursuant to the Dedication Agreement executed on 6/13/11, Clay Township has an obligation to pay Developer \$30,134 upon Township's acceptance of the dedication of the streets representing the Township's contribution to sidewalk remediation.
- Given the potential offsetting obligations, Township and Developer agree to forgo the exchange of monies. The \$30,314 will be considered Developer's contribution to the maintenance of the streets.
- The temporary Ingress/Egress Easement and cul-de-sac on Sweet William way will be removed. Paul Snader owns this property (Lot 83). He is the only affected landowner on that street. Developer will be responsible for removal of cul-de-sac paving and construction of curb and/or sidewalk along Lot 83. This should be coordinated with and approved by the Township Engineering.
- Forget Me Not Drive will be turned into a permanent cul-de-sac. Lot affected are 68, 69 and 70.
- Developer will construct curb and sidewalk extension (approx. 6 feet) along the frontage of Lot 70.
- Developer has no objection but does not want this issue to slow the dedication process.
- Developer's Engineer will prepare right-of-way plats and descriptions for each lot and the Township will contact the home owners regarding dedication to the Township.
- The basin is in acceptable condition
- The Basin Maintenance Agreement needs to be finalized and executed.
- Title Insurance to be provided by Developer.
- Resolution to accept dedication to be prepared by Solicitor. Legal descriptions needed from Developer.

Mr. Snader requested permission to install slant curb along his property which is Lot 83. The Board of Supervisors is in agreement with his request.

Mr. Snader inquired as to the timeline of extinguishing the temporary easement, so he can start to build his home on Lot 83.

Gary Landis made a motion, seconded by Keith Martin to approve extinguishing of the temporary easement of the Sweet William Way cul-de-sac. * The motion was unanimously approved.

Jennifer Mejia will inform the Developer's Solicitor to prepare a revised deed for Mr. Snader.

2. HomeTowne Square – Storm Water NOV

Representatives from HomeTowne Square and Peaceable Animal Kingdom have requested permission to defer action on the Stormwater NOV until the August Board of Supervisors meeting.

Both parties represented to the Township in writing that they are actively working on an amicable solution.

The Board of Supervisors voiced concern for the stormwater issue the Eberly's have to contend with until the August meeting.

Keith Martin made a motion, seconded by Gary Landis to defer a decision on the stormwater NOV until the July 9, 2018 meeting. In addition, the Board of Supervisors wants a written update by June 6, 2018 to review at their June meeting. * The motion was unanimously approved.

Old Business

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

The Township Manager informed the Board of Supervisors that he and Bob Lynn visited the Thomas property on Stony Lane to investigate the possibility of installing a pipe under Stony Lane to control stormwater.

Gary Landis made a motion, seconded by Keith Martin to authorize Bob Lynn to start the design process for installation of pipe on the Thomas and Hubach property line and to obtain input from the Thomas and Hubach's. * The motion was unanimously approved.

Bob Lynn reviewed the plan to install erosion socks on the north side of Stony Lane. Bob recommends the installation of approximately 1,050 lf of 18" heavy duty erosion sock filled with mulch.

Refreshing Mountain Camp is willing to contribute \$3,000 to the project cost. Representatives of Refreshing Mountain Camp and the Township will visit the site to determine the exact location of the socks.

Gary Landis made a motion, seconded by Keith Martin to approve a contribution of up to \$2,000 to fund the installation of the erosion sock closest to Stony Lane to help minimize stormwater impact to the road and property owners on the down slope of the road. * The motion was unanimously approved.

New Business

1. Discussion on House Bill 1486

The Township Manager informed the Board of Supervisors that the PA General Assembly passed House Bill 1486 which provides for an exemption of stormwater planning for high tunnels under certain provisions. 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.

David Keener, Engineer for James and Christopher Martin's SWM Plan, asked about the procedure for his clients to request the waiver.

After discussion, it was agreed that since the exemption goes into effect on June 18, 2018 and the Board of Supervisors will need additional time to revise the Township Ordinance, that the Martin's should provide a plan showing they meet the exemption requirements by May 17, 2018. The Board of Supervisors will review the Martin's plan at its May 22, 2018 AM meeting and if acceptable, approve a waiver of stormwater planning for the Martin's.

2. Approve Use of Roads for Middle Creek Road Race

Lauren Fenstermacher, Manager Middle Creek Wildlife Management Area, has requested permission to hold a 5K and 10K Road Race on the Township Roads through the Middle Creek Wildlife Management Area on Saturday, September 22, 2018. Ms. Fenstermacher indicated that there will be PA Game Officers available to help with traffic coordination.

Gary Landis made a motion, seconded by Keith Martin to approve use of the Township Roads for the Road Race through the Middle Creek Wildlife Management Area on September 22, 2018 contingent on a Certificate of Insurance being provided to the Township. * The motion was unanimously approved.

3. Authorize application of DCED Grant for Durlach Road, Woodcorner Road and West Main Street intersection improvements

The Township Manager requested permission from the Board of Supervisors to contract with Hanover Engineering to assist with completion of a Multimodal Transportation Fund Grant through DCED with a cost not to exceed \$3,000.

Gary Landis made a motion, seconded by Keith Martin to authorize Hanover Engineering to assist with the preparation of the DCED Grant at a cost not to exceed \$3,000. * The motion was unanimously approved.

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

Township Staff received a request from Ephrata Community Church to use the new Snyder Park #2 pavilion and fields for their church picnic on Sunday, June 24, 2018 from Noon till 9:00 PM.

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

5. Approve Co-Op Bids for Seal Coating and Line Painting

After discussion, Gary Landis made a motion, seconded by Keith Martin to execute the contract with Martin Paving Inc for 207,676 sq yards of chip seal at \$1.035 sq yd for a total amount of \$214,944.66 and A-1 Traffic Control Products, LLC for 140,000 lf single yellow at \$.045 lf, 55,000 double yellow at \$.0915 and 100,000 lf single white at \$.045 lf for a total amount of \$15,832.50. * The motion was unanimously approved.

6. Award Bids for Forest Hill Road Repairs and Park Paving

Earl Stauffer reviewed the bids with the Board of Supervisors (Cross Bid Tabulation sheets attached).

Gary Landis made a motion, seconded by Keith Martin to award the bid for park paving to new Enterprise Stone & Line Co for bid items 1, 2 and 5 in the amount of \$46,250.57. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to award the bid for Forest Hill Road repairs to H&K Group (Landis C Deck & Sons) for bid items 1 thru 5 in the amount of \$166,185. * The motion was unanimously approved.

7. Approve Annual Maintenance Contract for Fire Alarm System

After review, Keith Martin made a motion, seconded by Gary Landis to approve the annual maintenance contract for the fire alarm system with Simplex Grinnell in the amount of \$972.00. * The motion was unanimously approved.

8. Approve Employment of Summer Seasonal Employees

After discussion, Keith Martin made a motion, seconded by Gary Landis to approve employment of Brady Sipe, Ephrata as a Seasonal Public Works employee at a rate of \$11.50 per hour and Seth Kissinger, Lititz as a Seasonal Public Works employee at a rate of \$11.00 per hour with benefits as available to Seasonal Employees as noted in the Clay Township Employee Handbook and pending successful completion of drivers' license and background check. * The motion was unanimously approved.

9. Discussion on Communication Facilities Ordinance Revisions

After discussion, Gary Landis made a motion, seconded by Keith Martin to enter into agreement with Warwick Township, Penn Township, Ephrata Borough and Ephrata Township to engage Cohen Law Firm to review and update Township right-of-way and communication facilities ordinance at a cost not to exceed \$4,000. * The motion was unanimously approved.

Executive Session

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 9:08 PM to discuss Snyder Park #2 pavilion building project. * The motion was unanimously approved.

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

Gary Landis made a motion, seconded by Keith Martin to accept Hanover Engineering's offer to contribute \$4,937.20 to the cost of modifications to the pavilion plumbing at Snyder Park #2 to correct low water pressure issues. * The motion was unanimously approved.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$41,740.30 for the month of April. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$12,479.84 for the month of April. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$8,594.08 for the month of April. * 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 9:26 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary