

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
May 9, 2016

The Supervisors of Clay Township met on a regularly scheduled meeting date of May 9, 2016, 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 Timothy Lausch, Chairman, Keith Martin, Vice-Chairman and Gary Landis, Secretary.

Clay Township employee present was Bruce Leisey, Township Manager and Earl Stauffer, Road Master. Also present was Robert Lynn of Hanover Engineering, Inc., Township Engineer and Jennifer Mejia of Shirk and Mejia, Township Solicitor.

Also attending were those listed on the meeting attendance sheet, which is attached to these Minutes.

Timothy Lausch called the Meeting to order at 7:04 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Gary Landis to approve the April 11, 2016 meeting minutes with the addition of the Zoning Officer's pay rate of \$27.00 per hour. * The motion was approved unanimously.

Treasurer's Report

Gary Landis made a motion, seconded by Keith Martin, to approve the Treasurer's Report for the month of April, 2016. * The motion was approved unanimously.

Visitors

1. Jean Price, 1390 Forest Hill Road

Mrs. Price stated that water is still flowing across the road to her property. The gutter across the road does not flow to the catch basin at the Lewis property and there is no gutter along the Good property.

Earl Stauffer will check the swale at Good's driveway.

Mrs. Price also stated that trucks are getting off the road at the intersection of Kleinfeltersville Road and Forest Hill Road and making ruts in her yard.

The Board of Supervisors suggested installing a corner fence section to direct the trucks off the grass.

Gary Landis suggested that she take pictures of the water problem and that he and Earl will stop out to investigate her concerns.

No other decisions were made at this time.

Engineer's Report

1. Lincoln Storage – Sketch Plan

Applicant was not in attendance at the meeting.

Item was tabled.

2. Premier R&G Properties – Lot Add-On Plan

Applicant was not in attendance at this time.

Item was tabled until later in the meeting.

3. MBTT Partners – Execute MOU and SWM Agreement, Approve Cost Opinion

After review, Gary Landis made a motion, seconded by Keith Martin to approve and execute the MOU and SWM Agreement and the Cost Opinion in the amount of \$8,244.50. * The motion was unanimously approved.

4. Clay School Rd Apartments – Execute MOU, SWM Agreement and Land Development Agreement

After review, Keith Martin made a motion, seconded by Gary Landis to approve and execute the MOU, SWM Agreement and Land Development Agreement. * The motion was unanimously approved.

Gary Landis voiced his opposition again with granting a waiver of the Stormwater Easement on the plan. He felt the requested relief from the required 20' stormwater easement was more than needed.

** Keith Martin excused himself from the meeting because of a conflict with the next agenda item. **

5. Countryside Enterprises – Update on Traffic Study

Marlin Sensenig, Developer and Tom Matteson, Diehm & Sons discussed the revised draft traffic study with the Board of Supervisors. The draft study has not been provided to the Township. The developer provided a sketch of the proposed improvements that would be required by the revised traffic study to the intersection at Woodcorner Road, Durlach Road and Rt 322. The estimated cost of the improvements is \$200,000 to \$300,000.

The Developer stated that since he is required to install a sewer pump station and also provide intersection improvements, he asked if the Board of Supervisors would consider contributing to the cost of the intersection improvements if he installed the sewer pump station.

The Board of Supervisors asked him to put his request in writing and they will review for consideration.

No other decisions were made at this time.

** Keith Martin returned to the meeting. **

2. Premier R&G Properties – Lot Add-On Plan

Tom Matteson, Diehm & Sons, reviewed the plan with the Board of Supervisors. The developer owns two lots comprising the “shirk farm” located at 2033 West Main Street and a third lot at 2059 West Main Street, Ephrata. The developer is proposing to straighten the property lines on the three lots to make the joint property line of the shirk farm lot and 2059 W Main St lot perpendicular with 322.

Gary Landis stated that he did not like the process of requesting a waiver of land development to construct 4 apartment units in the barn and then add 3 apartment units in the house after the waiver was already approved.

Gary Landis made a motion, seconded by Keith Martin to approve the following modifications per the Hanover Engineering letter dated 4/15/16. * The motion was unanimously approved.

Section 402.A.1 – Plan Scale

The applicant is requesting a modification of the requirement for the plan to be drawn at a scale of 10, 20, 30, 40 or 50 feet to the inch. The justification provided is that the properties involved with the plan total 62.24 acres in size. The applicant notes that the total tract boundaries per the field survey have been shown at a plan scale of 100 feet to the inch to allow the entire property to be shown on a single plan sheet and that the plan is legible at this scale. The applicant also notes that the plan is simple in that it is proposing the addition of a small parcel (Parcel “A”) to an adjacent property (Lot No. 1), and that the reorientation of an existing tract line between two (2) existing properties (Lot No. 1 and 2). No new construction or excavation is proposed on the plan.

Section 402.C.4.D – The plan shall provide the location of existing utility mains and existing stormwater management facilities on the subject tract

The applicant is requesting a modification of the requirement to show the location of existing utility mains and existing stormwater management facilities on the subject tract. The justification provided is that the plan proposes minor shifts to the property lines and that the location of the features would require additional field survey and expense to the applicant with no discernible benefit. The applicant notes that the plan proposes no construction of any kind. The applicant also notes that they have determined the approximate locations of the water and sewer mains and have shown them on the plan for reference.

The applicant shall verify the location and ownership of the existing stormwater facilities and that they will not be affected by the proposed plan. If any existing drainage or utility easements are affected the information shall be provided to address whether the agreements require updates.

Section 402.C.4.F – The plan shall provide the location of wetlands on the subject tract

The applicant is requesting a modification of the requirement to show the location of wetlands on the subject tract. The justification provided is that the plan proposes minor shifts to the property lines and that the location of the features would require additional field survey and expense to the applicant with no discernible benefit. The applicant notes that the plan proposes no construction of any kind.

Section 403.D.17.f – Finished floor elevation of all residential units

The applicant is requesting a modification of the requirement to provide finished floor elevations of all residential units. The justification provided is Lots 2 and 3 both contain existing dwelling units, there is no new construction, grading or excavation proposed. It is also noted that the existing dwellings are not located close to any floodplains.

Section 607.A – Monuments shall be placed at all angles along the street

The applicant is requesting a modification of the requirement to place monuments at all angles along the street. The justification provided is that the property is larger than 10-acres, therefore, the requirement conflicts with the provision of Section 402.B.6, which states that properties larger than 10 acres need not be surveyed. The applicant notes that they have not surveyed West Main

Street and that the location of the roadway and its associated right-of-way is approximate and reasonable accurate as shown on the plan, but monuments can only be placed if a survey of the entire frontage is performed.

Keith Martin made a motion, seconded by Gary Landis to approve the Lot Add-On plan contingent on compliance with the Hanover Engineering letter dated 4/15/16. * The motion was approved unanimously.

Old Business

1. Transfer Brickerville Ambulance first run territory to NWEMS

Keith Martin made a motion, seconded by Gary Landis to transfer Brickerville Ambulance first run territory to Northwest EMS as noted in the letter received from Gardner & Stevens, PC dated 4/22/16. * The motion was unanimously approved.

New Business

1. Execute BB&T Pension Document

After review, Gary Landis made a motion, seconded by Keith Martin to approve Keith Martin, Gary Landis, Tim Lausch and Bruce Leisey as authorized signers to instruct BB&T on Pension matter on behalf of Clay Township. * The motion was approved unanimously.

2. Approve Advertising of 25 MPH Speed Limit Ordinance on Durlach Hill Road

Keith Martin made a motion, seconded by Gary Landis to approve advertising of the proposed Ordinance which would post the speed limit on Durlach Hill Road as 25 MPH. * The motion was approved unanimously.

3. Award Bids for Paving and Line Painting

Keith Martin made a motion, seconded by Gary Landis to award bids for 54,176 sq yd of Ultra Thin Friction Course paving at a cost of \$5.00 per sq yd for a total amount of \$270,880.00 to Asphalt Maintenance Solutions and 139,000 feet single 4" white traffic line, 120,000 feet single 4" yellow traffic line and 139,000 double 4" yellow traffic line for a total amount of \$24,165.00 to A-1 Traffic Solutions. * The motion was unanimously approved.

Executive Session

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 9:05 PM to discuss potential litigation issues. * The motion was approved unanimously.

Gary Landis made a motion, seconded by Keith Martin to exit Executive Session at 9:35 PM. * The motion was approved unanimously.

No decisions were made in Executive Session.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$38,254.71 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 \$1,694.85 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 \$4,608.27 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. DMR
4. Planning Commission Minutes
5. Engineer's Report
6. Manager's Report
7. Zoning Officer's Report
8. Road Master's Report

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 9:40 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary