

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
November 9, 2020

The Supervisors of Clay Township met on a regularly scheduled meeting date of November 9, 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, Jennifer Mejia of Mejia Law Group, Township Solicitor, and Bob Lynn of Hanover Engineering, Township Engineer.

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 October 12, 2020 meeting minutes with the revision of the motion for New Business #1. “After review and discussion, Keith Martin made a motion, seconded by Gary Landis to opt to use the “180-day procedure” for the petition of Carl & Lena Martin. The Township does not have a complete Agricultural Security Area Committee but is in the process of filling the vacancies. Given the current pandemic, getting volunteers together for this function simply takes a bit longer and there would be no time saved to the applicant. This decision is by no means an indication of how future applications will be processed. \* The motion was approved with Tim Lausch and Keith Martin voting yes and Gary Landis voting no.” \* 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 October 2020. \* The motion was unanimously approved.

## **Visitors**

1. Bernie & Eva Lynch – noise disturbance compliant

Mrs. Lynch complimented Chief Steffen on his actions with regard to the situation. There is still some speeding on weekends. This past Saturday there was loud noise from noon to dark. On Sunday the music was so loud, the bass could be felt in their house. There is still bad language being used.

There was discussion on the Township's noise and burning ordinance for this situation. Township Staff will review ordinances for applicability.

## **Engineer's Report**

1. Marlin and Wanda Martin – Time Extension Request

After review and discussion, it was determined that a time extension was not needed. Conditional approval was granted at the 9/23/20 meeting.

There was discussion between Steve Martin, Groundworks Construction, Township Staff and the Board of Supervisors regarding compliance with the conditions.

Bob Lynn will review the latest plan submittal and draft a comment letter for review by developer.

2. Daniel Esh – Execute Storm Water Management Agreement

After review, Gary Landis made a motion, seconded by Keith Martin to approve and execute the Storm Water Management Agreement dated 11/9/2020 for Daniel Esh, 415 Indian Run Road, Ephrata. \* The motion was unanimously approved.

3. Blue Bell MHP – Time Extension Request

Township Staff reviewed the request with the Board of Supervisors.

After review, Keith Martin made a motion, seconded by Gary Landis to approve the requested time extension for the Blue Bell MHP land development plan until February 9, 2021. \* The motion was unanimously approved.

4. DOVE Westgate Church – As-Built Plans and Escrow Release Request

Bob Lynn reviewed the As-Built Plans and escrow release request with the Board of Supervisors.

After review, Keith Martin made a motion, seconded by Gary Landis to approve the As-Built plans and release the entire escrow balance in the amount of \$1,500. Financial security will no longer be retained for this project. \* The motion was unanimously approved.

5. Marc Startoni – Escrow Release Request

Township Staff reviewed the escrow release request with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to approve an escrow release in the amount of \$41,046.00, retaining an escrow balance of \$4,448.13. \* The motion was unanimously approved.

6. Standard Pipe – Request for Payment #2 and Change Order #1

Bob Lynn reviewed the request for payment and Change Order #1.

After discussion, Gary Landis made a motion, seconded by Keith Martin to approve request for payment in the amount of \$7,640 and Change Order #1 (Rectifying). \* The motion was unanimously approved.

The Board of Supervisors also signed the Certificate of Substantial Completion for this project.

**Old Business**

1. Update on Sewer I&I Project

Bob Lynn informed the Board of Supervisors that the project is complete.

2. Correspondence from PA DEP

Bob Lynn informed the Board of Supervisors that he is compiling a response.

3. Review Revised Forestry Ordinance – Authorize Advertisement

Jennifer Mejia reviewed the Forestry Ordinance which included a reference requiring compliance with PA Noxious Weed Requirements when clear cutting.

**New Business**

1. Approve LCATS 2020 Dues and Election of Officers

Bruce Leisey reviewed with the Board of Supervisors.

After review, Keith Martin made a motion, seconded by Gary Landis to approve payment of the 2021 dues in the amount of \$30.00 and selection of Officers for 2021 as noted in the 10/21/20 correspondence from LCATS. \* The motion was unanimously approved.

2. Approve Advertising of Notice of Intent to Appoint Auditors

After review, Gary Landis made a motion, seconded by Keith Martin to approve advertising of intent to consider the appointment of Herbien & CO CPA to perform the audit of the 2020 financial records. \* The motion was unanimously approved.

3. Zoning Officer Update

Tom Zorbaugh updated the Board of Supervisors on his recent activities. Tom stated that mobile home park inspections are mostly completed.

4. Discussion on 2021 Preliminary Budget

Bruce Leisey reviewed the first draft of the 2021 Budget with the Board of Supervisors. A revised draft will be reviewed at the 11/24/2020 meeting.

**Executive Session**

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 9:50 PM to discuss personnel issues and potential litigation. \* The motion was approved unanimously.

Gary Landis made a motion, seconded by Keith Martin to exit Executive Session at 10:15 PM. \* The motion was approved unanimously.

There was discussion on the draft Sewer Agreement Extension with Ephrata Borough and employee issues. No decisions were made.

**Bills to be Paid**

General Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$34,894.37 for the month of October. \* The motion was approved unanimously.

Rec Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$661.16 for the month of October. \* The motion was approved unanimously.

Sewer Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$12,690.16 for the month of October. \* 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 10:15 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