

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 9, 2017

The Supervisors of Clay Township met on a regularly scheduled meeting date of October 9, 2017, 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 7:00 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Gary Landis to approve the September 11, 2017 meeting minutes as printed in the October 9, 2017 Agenda with the addition of; Cloud “that” the on page six, #3 second paragraph. * The motion was unanimously approved.

Gary Landis inquired when the letter to the Clearview Gardens HOA will be sent regarding inspections of the failing trees. The Township Manager informed the Board staff is working on it.

Treasurer’s Report

Keith Martin made a motion, seconded by Gary Landis to approve the Treasurer’s Report for the month of September 2017. * The motion was unanimously approved.

Visitors

1. Ephrata Public Library – Penny Talbert, Director and Ann Small, Vice President

Ms. Talbert reviewed the requested funding and activities of the library for the past year with the Board of Supervisors. Ms. Talbert stated that the library is working with Rettew Assoc to provide MS4 Educational Programs for the municipalities in the library’s service area. The programs will be geared towards children and teens and the library will take care of advertising the programs.

Engineer's Report

1. Edwin Kurtz – Escrow Release Request & Waiver of As-Built Plans

Bob Lynn informed the Board of Supervisors that all improvements have been satisfactorily completed and in compliance with the approved plan. Bob stated that he does not object to the waiver of the As-Built Plans request since his firm was present and inspected the facilities during construction.

Gary Landis made a motion, seconded by Keith Martin to approve the requested cash escrow release in the amount of \$1,082.15 and approve the waiver request of As-Built Plans. * The motion was unanimously approved.

2. Wilmer & Ruth Thomas – Sewage Planning Module and Time Extension Request

Ted Cromleigh reviewed the module and plan with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve Resolution #R100917 to approve the Wilmer & Ruth Thomas Sewage Planning Module. * The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to approve the requested plan time extension of 120 days to take action on the Wilmer & Ruth Thomas Sub-Division Plan. * The motion was unanimously approved.

3. Homestead Investments – Waiver of Land Development and Stormwater Mgt Plan Time Extension Request

Marcus Kline, Homestead Investments, reviewed the project which consists of expanding a gravel pavement area into the cultivated area to the rear of the existing improvements. The project will add additional storage space for extra storage for his flooring business and the neighboring property. Zimmerman Masonry would like to park some of their equipment on the new gravel area. The proposed new gravel area would be a multi-use storage area for Homestead Investments and Zimmerman Masonry.

Ted Cromleigh, Diehm and Sons, reviewed the waiver request with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve the following waiver request as outline in the Hanover Engineering letter dated 8/28/17. * The motion was unanimously approved.

Section 303 and Section 304 – Processing of a Land Development Plan

The applicant is requesting a waiver of the requirement to process a Land Development Plan for the project. The applicant proposes to process a Stormwater Management Plan. The applicant

feels that the waiver of land development, processed along with the Stormwater Management Plan will allow the Township opportunity to review the plan and condition the waiver on any items that are deemed necessary. The justification provided is that the scope of the project is limited to expanding an existing basin for stormwater; no property lines are being changed and no buildings are proposed. The applicant also notes that a Land Development Plan was processed for the prior subdivision and building and addressed the design elements such as site access, etc.

Gary Landis made a motion, seconded by Keith Martin to accept the 90 day time extension on the Stormwater Management Plan. * The motion was unanimously approved.

There was discussion on fencing and screening requirements for industrial storage required by the Clay Township Zoning Ordinance. The Zoning Officer will forward his comments in writing to the Board of Supervisors and Applicant.

4. Jesse Kinsinger – Waiver of Land Development and Stormwater Management Plan

This item was tabled, there were no representatives at the meeting.

5. Heath Weaver – Escrow Release Request

Bob Lynn reviewed the punch list and escrow release letter dated 10/6/17 with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve an escrow release in the amount of \$11,977.54 leaving an escrow balance of \$3,145.90. * The motion was unanimously approved.

Visitors – Cont

2. Ephrata Rec Center – Jim Summers

Mr. Summers thanked the Board of Supervisors for participating in the Summer Rec Program. Mr. Summers stated that the recommended contribution from Clay Township for 2018 is \$8,256 which is based on the actual attendance in 2017 at a cost of \$32 per class. The class price has remained the same for the last 4 years.

No decisions were made at this time.

3. Richard Stauffer, Clay School Road

Rick Stauffer inquired what was the Board of Supervisors position on preparing a Comp Plan in 2018. Mr. Stauffer would like to see a Comp Plan started in 2018.

Old Business

1. Charity Gardens HOA – request to plant trees on park property

The Township Manager reviewed the request with the Board of Supervisors and informed them that the Clay Township Park & Rec Board recommended the HOA install signs indicating “Private Property” as the first step. If further action is needed, it is their recommendation to install a fence on the stop of the swale instead of planting trees. Their concern is the trees cannot be planted on the private property because of the easement and would have to be planted on park property 25-30” off the property line and will encroach on the park property.

The Board of Supervisors stated they are not in favor of planting the trees at this time and would suggest spacing signs along the property line to identify the basin as private property.

2. Furnace Hill Road, Camp Road and West Girl Scout Road Storm Water Issues

Bob Lynn reviewed his findings with Jon & Kathy Stoner, 280 West Girl Scout Road and the Board of Supervisors.

Bob indicated his recommendations to reduce stormwater issues at the Stoner residence would be to clean out sediment and rocks from the stormwater channel on the North side of the property, replace the corrugated pipe under West Girl Scout Rd with a HDP pipe of the same size which will increase the flow capacity and regrade the gutter along the road on the West side (Stahl property) to divert the water which now flows over the road to the pipe that is being replaced.

3. Wildflower Pond Retention Basin

Bob Lynn informed the Board of Supervisors he is working with that Dr. Busko’s Engineering firm, Mike Saxinger, to review the design and completion of the repairs to the basin this fall.

New Business

1. Request for Payment for the Snyder Park Pavilion Project

Bob Lynn reviewed the payment requests with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve payment #8 on Contract #1 in the amount of \$5,563.80 to Amric Construction. * The motion was unanimously approved.

2. Authorize Participation in Local Bridge Inspection Program

After discussion, Keith Martin made a motion, seconded by Gary Landis to execute Agreement with Mackin Engineering Company to perform local bridge inspections in Clay Township from 2018 to 2022 as required by Penn Dot. The cost of the inspections will be deducted from Liquid Fuel monies received from the State. * The motion was unanimously approved.

3. Financial Audit Services from 2017 Audit

Bruce Leisey informed the Board of Supervisors he received a correspondence from Weinhold Nickel indicating they are considering discontinuing the local government audit practice.

The Board of Supervisors authorized Bruce Leisey to prepare and send a Request for Proposal (RFP) for the completion of the 2017 Financial Audit.

Bills to be Paid

General Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$122,433.32 for the month of September. * The motion was approved unanimously.

Rec Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$8,350.31 for the month of September. * The motion was approved unanimously.

Sewer Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$3,422.79 for the month of September. * The motion was approved unanimously.

Liquid Fuel Fund

Gary Landis made a motion, seconded by Keith Martin to approve the Liquid Fuel Funds bills totaling \$65,003.43 for the month of September. * The motion was approved unanimously.

Gary Landis made a motion, seconded by Keith Martin to hold payment to New Enterprise Stone & Lime until issues are resolved with paving project on Summit and Yummerdall Road. * The motion was approved unanimously.

Executive Session

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 9:45 PM to discuss personnel issues and potential litigation. * The motion was approved unanimously.

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

No decisions were made.

Reports for the Month

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
3. Zoning Officer's Report
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 10:12 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary