

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
January 10, 2011

The Supervisors of Clay Township met on a regularly scheduled meeting date of January 10, 2011, 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, Justin Harnish, Vice-Chairman and Keith Martin, Secretary.

Clay Township employee present was Bruce Leisey. Also present were Bob 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 7:00 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Justin Harnish, to approve the December 13, 2010 meeting minutes as printed in the January 10, 2011 agenda. * The motion was approved unanimously.

Justin Harnish made a motion, seconded by Keith Martin, to approve the December 30, 2010 meeting minutes as printed in the January 10, 2011 agenda. * The motion was approved unanimously.

Treasurer's Report

Justin Harnish made a motion, seconded by Keith Martin, to approve the Treasurer's Report for the month of December, 2010. *The motion was approved unanimously.

Visitors

1. Correspondence from Charity Gardens HOA

Connell O'Brien, Bob Straub and Gary Felpel (residents of Charity Gardens) questioned when restricted parking signs will be installed.

The Township has in its possession and will install no parking signs for the area near the apartments when the weather permits.

The Township Manager will forward the properly adopted Ordinance establishing parking restrictions for vehicles of certain weight to Mr. O'Brien. The Charity Garden residents had concerns with discrepancies between the Ephrata Township and Clay Township Ordinances. The Charity Garden development is predominantly in Clay Township and, while the Board of Supervisors appreciates the citizens' concerns, it did not wish to modify the Clay Township adopted Ordinance.

No decisions were made at this time.

Engineer's Report

1. Bethany Gardens Phase I and II – Escrow Release Request and Waiver of Fence Requirement

Bob Lynn, Hanover Engineering reviewed the escrow release request for Phase I and Phase II and the waiver request of fence requirement with the Board of Supervisors.

Justin Harnish made a motion, seconded by Keith Martin to release escrow for Phase I as requested on 1/5/11 in the amount of \$35,923.37 leaving a balance of \$151,075.95. * The motion was approved unanimously.

Justin Harnish made a motion, seconded by Keith Martin to release escrow for Phase II as requested on 1/5/11 in the amount of \$7,235.00 leaving a balance of \$6,148.00. * The motion was approved unanimously.

Justin Harnish made a motion, seconded by Keith Martin to approve the waiver request of a privacy fence along the length of former Ober properties. The fence will need to be installed along the Kenton Martin property line. * The motion was approved unanimously.

“Note, Kenton Martin was present, participated in discussions and was in agreement with the Board of Supervisor's action.

New Business

1. Discussion on Snyder Lane and Clay School Road Intersection

Chief Leighty reviewed his concerns with the large amount of accidents at this intersection.

The Board of Supervisors authorized the Township Engineer, Police Chief, Township Manager and Road Master to develop warrant study for four-way stop at intersection.

Engineer's Report - Cont

2. Paul B. Zimmerman, Inc. – Escrow Release Request

Bob Lynn reviewed the escrow release request see Hanover Engineering letter dated 1/7/2011 with the Board of Supervisors.

Justin Harnish made a motion, seconded by Keith Martin to release escrow in the entire amount of \$288,340.80 conditioned on the agreement to install the roof drain collector lines and fittings and complete some minor final grading when the proposed building addition is constructed but prior to receipt of Occupancy Permit and signed copy of this agreement was placed in the file. * The motion was unanimously approved.

3. MBTT Partners – Escrow Release Request

Bob Lynn reviewed the escrow release request see Hanover Engineering letter dated 1/7/2011 with the Board of Supervisors.

Justin Harnish made a motion, seconded by Keith Martin to release escrow in the amount of \$47,974.19 leaving a balance of \$21,408.69. * The motion was unanimously approved.

4. Heisey Access Issue

Devon Henne, Representative of the Heisey's, informed the Board of Supervisors that the Heisey's are interested in obtaining a right-of-way to access their 3 acre land locked lot off of Laurel Drive.

There was discussion on the requirements needed to install the right-of-way access. The Board of Supervisors was generally not in favor of the concept.

No decisions were made at this time.

Old Business

1. Hopeland Sewer Plant Repairs Update

Bob Lynn updated the Board of Supervisors on the repairs.

Bob recommended cleaning and televising between manhole 35 and 37. Price quote from Abel Construction approximately \$1,600.

Keith Martin made a motion, seconded by Justin Harnish to authorize Abel Construction to clean and grout between manhole 35 and 37 at an approximate cost of \$1,600. * The motion was unanimously approved.

Justin Harnish made a motion, seconded by Keith Martin to approve the draft letter with audit information on flow data and repair data. * The motion was unanimously approved.

New Business - Cont

2. Approve Resolution for Cooperative Bidding and Purchasing of Road Materials

Keith Martin made a motion, seconded by Justin Harnish to adopt Resolution #011011 to participate in joint bidding and purchasing for road materials. * The motion was unanimously approved.

3. Approve and Execute Certification of Uncollected 2010 RE Taxes

Justin Harnish made a motion, seconded by Keith Martin to approve submitting uncollected 2010 real estate taxes to Lancaster County Tax Claim Bureau for collections. * The motion was unanimously approved.

4. Approve and Execute Wildflower Pond Tolling Agreement

Justin Harnish made a motion, seconded by Keith Martin to approve and execute the Tolling Agreement with Rathman Busko Partnership, Carolton W. Busko, Patricia Rathman and Wildflower Pond Associates. * The motion was unanimously approved.

5. Public Water Hookup at 85 Weidmansville Road

After review and discussion, Keith Martin made a motion, seconded by Justin Harnish to require the new owners of 85 Weidmansville Road to connect to public water when the property is sold. * The motion was unanimously approved.

6. Approve Membership with PSATS

Justin Harnish made a motion, seconded by Keith Martin to approve the PSATS 2011 membership dues in the amount of \$1,452.00. * The motion was unanimously approved.

Executive Session

Justin Harnish made a motion, seconded by Keith Martin to enter into Executive Session at 9:30 PM to discuss potential litigation issues and personnel issues. * The motion was unanimously approved.

Justin Harnish made a motion, seconded by Keith Martin to end Executive Session at 10:45 PM. * The motion was unanimously approved.

There was discussion on a potential tenant for the former office building.

Justin Harnish made a motion, seconded by Keith Martin to require Supervisors enrolled in the Township health insurance plan to contribute \$2,000 of the cost effective January 1, 2012. Pursuant to the requirements of Section 606 of the Second Class Township Code, this provision shall become effective at the beginning of the next term of any Supervisor. * The motion was unanimously approved.

Bills to be Paid

General Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$50,343.82 for the month of December. *The motion was approved unanimously.

Rec Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$88.78 for the month of December. *The motion was approved unanimously.

Sewer Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$7,261.38 for the month of December. *The motion was approved unanimously.

Reports for the Month

1. Chief of Police / Police Department
2. Fire Companies
3. DMR
4. Ambulance
5. Solicitor's Report
6. Engineer's Report
7. Planning Commission Minutes

Adjournment

Keith Martin made a motion, seconded by Justin Harnish, to adjourn the meeting at 10:45 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Justin Harnish, Vice-Chairman

Keith Martin, Secretary