

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
June 10, 2013

The Supervisors of Clay Township met on a regularly scheduled meeting date of June 10, 2013, 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, Township Manager. 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 7:07 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Tim Lausch, to approve the May 13, 2013 meeting minutes as printed in the June 10, 2013 agenda. * The motion was approved unanimously. Justin Harnish abstained from the vote since he was absent from meeting.

Treasurer's Report

Justin Harnish made a motion, seconded by Keith Martin, to approve the Treasurer's Report for the month of May, 2013. *The motion was approved unanimously.

Visitors

1. Shari & Owen Weaver, 935 Daniel Drive

The Board of Supervisors welcomed Owen Weaver of 935 Daniel Drive. Owen is a scout with Troup 38 and was in attendance to satisfy his requirement for his Community and Citizenship Badge.

Engineer's Report

1. Ken Weaver – ECHO Housing Request

Ken Weaver of 975 Lincoln Gardens Road, asked the Board of Supervisors for permission to place a 28'X56' doublewide mobile home on his property for his Mother-in-Law to live in.

Keith Martin made a motion, seconded by Justin Harnish to approve and execute the ECHO Housing agreement with Ken Weaver, contingent of receipt of evidence from the Clay Township Sewage Enforcement Officer indicating additional occupants will not exceed maximum capacity for the current on-lot sewer system. * The motion was unanimously approved.

2. Ken Weaver – Storm Water Exemption Request

Bob Lynn reviewed Mr. Weaver's storm water exemption request with the Board of Supervisors. Mr. Weaver meets the four points of criteria for an exemption. The property is located in Ag zoning district, a conservation plan is being prepared, the property is a 10 acre farm and the flow patch distance from the proposed impervious area to the nearest property line is approximately 500'.

Keith Martin made a motion, seconded by Justin Harnish to approve the storm water exemption request from Ken Weaver, 975 Lincoln Gardens Road. * This motion was unanimously approved.

3. Countryside Enterprises – Revised Sewage Planning Module and Time Extension

The Township Manager reviewed the revised Sewage Planning Module with the Board of Supervisors.

Justin Harnish made a motion, seconded by Tim Lausch to approve the revised Sewage Planning Module. * The motion was unanimously approved. Keith Martin abstained from the vote because of an employment conflict with Countryside Enterprises.

The Township Manager reviewed the requested time extension with the Board of Supervisors.

Justin Harnish made a motion, seconded by Tim Lausch to approve a 90 day time extension to take action on the plan. New date to take action is 9/12/13. * The motion was unanimously approved. Keith Martin abstained from the vote because of an employment conflict with Countryside Enterprises.

4. Bethany Gardens III – Time Extension

After review, Justin Harnish made a motion, seconded by Keith Martin to approve a 90 day time extension to take action on the plan. New date to take action is 9/21/13. * The motion was unanimously approved.

5. Hometowne Square

Jennifer Mejia updated Cliff Weaver and Lee Bothel, representatives of Hometowne Square, on the status of the Hometowne Square plan.

Jennifer Mejia sent a draft agreement from the Township to Attorney Matyak, representing Wildflower Pond, indicating that if the developers allow Hometowne Square emergency access through the streets of the Wildflower Pond development this action will not jeopardize their ability to dedicate roads at a later date.

The issue of storm water run off onto the Peaceable Animal Kingdom property was discussed. The Developer is in discussion with adjoining property owners, but a resolution has not been reached. Jennifer Mejia will send an inquiry to Attorney Hoffer, who represents Peaceable Animal Kingdom, asking if they object to approval of the next phase.

No decisions were made at this time.

6. Girl Scout Road Culvert Permit

Bob Lynn informed the Board of Supervisors that a GP-11 permit from DEP is necessary. Approval time for the permit is 4-6 weeks. The plan is to extend culvert to put fill in and place guiderail in fill. The work will be done by the Township Road Crew.

Justin Harnish made a motion, seconded by Keith Martin to apply for the GP-11 permit from DEP. * The motion was unanimously approved.

Old Business

1. Wildflower Pond

Jennifer Mejia informed the Board of Supervisors that there is no new update on Wildflower Pond.

Bob Lynn reported that the sinkhole repair at the Kimmet and Echternach property will begin soon.

Tim Lausch was informed of sinkholes in the basin. The Township Manager will investigate.

No decisions were made at this time.

2. Charity Gardens Pipe Inspection

USG is scheduling the inspection for the near future.

Justin Harnish made a motion, seconded by Keith Martin to authorize Bruce Leisey to sign the contract with USG. * The motion was unanimously approved.

New Business

1. Approve Attendance at LCATS Summer Meeting 8/22/13

The Board of Supervisors will review availability and will discuss at their July meeting.

No decisions were made at this time.

2. Sewer Line and Manhole I&I Investigation

The Township Manager and Township Engineer reviewed the last 18 months average flows with the Board of Supervisors. The flows have seemed to stabilize (mid 20,000).

The Township has been informed by the owner of the Hopeland Post Office building that the system for the post office and apartment is having issues and he has interest in connecting to Hopeland sewer plant.

After discussion, there could possibly be two sewer EDUs available.

The Township Manager will inform property owner of discussion.

No decisions were made at this time.

3. Approve Participation in Cocalico Creek Watershed based CBPRP

After review, Keith Martin made a motion, seconded by Justin Harnish to participate in a NFWF walk up grant to run the base line and provide watershed base for CBPRP. * The motion was unanimously approved.

4. Stormwater Management Ordinance Update

Bob Lynn updated the Board of Supervisors on the status of Act 167 Stormwater Ordinance. The County plan is approved, the Township has until 11/21/13 to enact its Ordinance.

Ken Shirk, Bruce Leisey and Bob Lynn are working on a draft Ordinance for the Board of Supervisors to review in August.

No decisions were made at this time.

5. Stormwater Violation – Forry Estates

After discussion, Justin Harnish made a motion, seconded by Keith Martin to send a notice of violation to the property owner where the stormwater facilities are located for Forry Estates. The stormwater facilities are not being maintained per agreement (tall weeds, trees growing in basin and erosion). * The motion was unanimously approved.

6. Snow Emergency Signs

After research it was determined that an Ordinance was not adopted to enforce the actions on the signs so they can be removed.

Township Road Crew will schedule time to remove signs.

7. Handicap Parking Space in Bethany Gardens Resident Request

Bob Lynn and Bruce Leisey reviewed the request for a handicap parking space at 322 Mt Olive Lane.

The Board of Supervisors is agreeable to install. The Township Manager will inform the Home Owners Association. It should be noted that the space will be available to anyone in the public with authorized handicapped parking.

The proposed Ordinance will be added to other changes related to parking and will likely be considered for adoption in September.

8. Swearing in of Fire Police

After discussion, Justin Harnish made a motion, seconded by Keith Martin to draft a letter to District Magistrate Russell requesting that he swear in all Fire Police operating in Clay Township.
* The motion was unanimously approved.

9 Sharp Avenue

After review, Keith Martin made a motion, seconded by Justin Harnish to authorize Jennifer Mejia and Bruce Leisey to draft an ordinance to put the extension of Sharp Avenue on the official township map. * The motion was unanimously approved.

Executive Session

Keith Martin made a motion, seconded by Justin Harnish to enter into executive session at 8:30 PM to discuss potential litigation. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Justin Harnish to exit executive session at 8:55 PM. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Justin Harnish to file a lien on the Two Cousins property in order to collect past due unpaid developer fees owed to the Township. * 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 \$56,396.34 for the month of May. *The motion was approved unanimously.

Rec Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$1,416.77 for the month of May. *The motion was approved unanimously.

Sewer Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$4,589.83 for the month of May. *The motion was approved unanimously.

Reports for the Month

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
3. DMR
4. Engineer's Report

Adjournment

Justin Harnish made a motion, seconded by Keith Martin, to adjourn the meeting at 9:15 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Justin Harnish, Vice-Chairman

Keith Martin, Secretary