

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
March 12, 2012

The Supervisors of Clay Township met on a regularly scheduled meeting date of March 12, 2012, 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 February 13, 2012 meeting minutes as printed in the March 12, 2012 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 February, 2012. *The motion was approved unanimously.

Visitors

1. Robert Straub, Chairman of the Stormwater Management Oversight Committee (part of the Charity Gardens Homeowners' Assoc)

Mr. Straub asked if the Township received a correspondence dated January 20, 2012 from Connell O'Brien on behalf of the Charity Gardens Unit Owners Association regarding concerns with the stormwater pipes in the development. The committee is questioning if the joints in the stormwater pipes are water tight.

The Township is reviewing the correspondence and will contact Mr. Straub with their response.

No decisions were made at this time.

2. Rick Bernaducci, 108 Queen Annes Way and Dennis Scott, 102 Queen Annes Way

Mr. Bernaducci & Mr. Scott asked for an update on the Wildflower Pond Home Owners Association documents.

Mr. Shirk spoke to the Counsel for the Developer on February 29, 2012 and a proposed timeline regarding the submission of a plan for the Home Owners Association and the dedication of the streets will be sent to the Township by Friday, March 16, 2012.

No decisions were made at this time.

Engineer's Report

** 7:15 PM – Justin Harnish excused himself from the meeting due to conflict with the Engineering item for Refreshing Mountain Camp. Mr. Harnish is employed by Refreshing Mountain Camp which his family also owns. **

1. Refreshing Mountain Camp – Waiver Request

Ted Cromleigh, Diehm and Sons and Marlin Harnish, owner of property reviewed the waiver request with the Board of Supervisors.

Section 303 and Section 304 – Submission of a Preliminary and Final Land Development Plan

The applicant is requesting a waiver of the requirement to provide a preliminary or final land development plan. The justifications provided include the project does not propose the changing of any property lines; the project is an expansion that is located on an existing developed lot of record. A stormwater management and NPDES Erosion Control Plan have been submitted to the Township, Township Engineer, and Lancaster County Conservation District. The applicant indicates that in 2008, a land development plan was processed. The current plan proposes an upgrade/redevelopment of the existing facilities within the same developed “foot print” as existing facilities currently onsite. The current proposal pertains to a 0.8 acre area of the site that is being re-developed. 13 full services and 20 rustic campsites are to be replaced by 13 two (2) bedroom cabins, one (1) small pavilion, a meeting room and building addition to a single family dwelling. The applicant indicates that the proposed changes in the camp are necessary to keep u with the changing market conditions. The current points of access into Furnace Hill are to be maintained

as they are. The camp is currently served with on-site water and sewer. The elimination of the 20 rustic campsites will result in an overall reduction of campers in the facility within peak operation times. The applicant also notes that the Clay Township Zoning Hearing Board approved the special exceptions for Section 303.b.2.c and Section 505.C (2 and 5).

Keith Martin made a motion, seconded by Tim Lausch to grant a waiver of Section 303 & 304 Submission of a Preliminary and Final Land Development Plan contingent on compliance with the Hanover Engineering letter date 2/29/2012. * The motion was unanimously approved.

** 7:44 PM – Justin Harnish returned to the meeting. **

2. Wildflower Pond Update

The Township Engineer informed the Board of Supervisors that the sinkholes in basin will be repaired when the ground dries out.

No other decisions were made at this time.

3. J. Lynn Good – Stormwater Waiver Request

There is a meeting planned March 13, 2012 to resolve the final issues with the Good stormwater plan.

Justin Harnish made a motion, seconded by Keith Martin to approve the J. Lynn Good Stormwater Waiver Request contingent on compliance with the Hanover Engineering letter dated February 24, 2012. * The motion was unanimously approved.

4. Hometowne Square Update

The Engineer for Peaceable Animal Kingdom is reviewing the information.

The Township has received no additional information.

New Business

1. Attendance at LCATS meeting on March 29, 2012

After review, Keith Martin made a motion, seconded by Justin Harnish to authorize attendance to the meeting for Tim Lausch, Bruce Leisey and Keith Martin. * The motion was unanimously approved.

2. Approve Installation of Baseball Field Fencing

After discussion, Justin Harnish made a motion, seconded by Keith Martin to accept the proposal dated March 6, 2012 from Ephrata Agway to install the baseball field back stop and side line fence in the amount of \$6,755. * The motion was unanimously approved.

3. Approval of Installation of Additional Lighting

This item was tabled until the next meeting since all quotes have not been received.

4. Road Bid Request Advertising

After review, Keith Martin made a motion, seconded by Justin Harnish to approved advertising for approximately 900 sq yards of milling patches for miscellaneous road repairs and overlaying. * The motion was unanimously approved.

Executive Session

Keith Martin made a motion, seconded by Justin Harnish to enter into Executive Session at 8:25 PM to discuss personnel and possible litigation issues. * The motion was unanimously approved.

Justin Harnish made a motion, seconded by Keith Martin to allow Shirk & Mejia as Solicitor for the Township to represent the Township in matters related to Charity Gardens stormwater issues. * The motion was unanimously approved.

Keith Martin made a motion, seconded by Justin Harnish to approve the Tolling Agreement between Clay Township and E & L Martin Family Partnership and Eugene K. Martin for two (2) years. * The motion was unanimously approved.

Justin Harnish made a motion, seconded by Keith Martin to approve advertising for a PT mowing position. * 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.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Justin Harnish, to approve the General Fund bills totaling \$35,312.92 for the month of February. *The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Justin Harnish, to approve the Recreation Fund bills totaling \$68.85 for the month of February. *The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Justin Harnish, to approve the Sewer Fund bills totaling \$2,885.06 for the month of February. *The motion was approved unanimously.

Reports for the Month

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

Adjournment

Keith Martin made a motion, seconded by Justin Harnish, to adjourn the meeting at 9:25 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Justin Harnish, Vice-Chairman

Keith Martin, Secretary