

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
April 13, 2015

The Supervisors of Clay Township met on a regularly scheduled meeting date of April 13, 2015, 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, Keith Martin, Vice-Chairman and Gary Landis, Secretary.

Clay Township employee present was Bruce Leisey, Township Manager. Also present was 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 7:05 p.m.

**Meeting Minutes**

Keith Martin made a motion, seconded by Gary Landis to approve the March 9, 2015 meeting minutes as printed in the April 13, 2015 agenda. \* The motion was approved unanimously.

**Treasurer's Report**

Gary Landis made a motion, seconded by Keith Martin, to approve the Treasurer's Report for the month of March, 2015. \*The motion was approved unanimously.

**Visitors**

1. Herb Noack

Mr. Noack asked when street sweeping will occur.

Earl Stauffer, Road Master, said that street sweeping will begin the week of May 11, 2105. Earl stated that it is later this year because we are using another vendor. The previous vender discontinued sweeping services.

Mr. Noack also expressed concerns with speeding in his development on Woodchuck Drive.

The Board of Supervisors will inform the NLCRPD of his concerns.

### **Engineer's Report**

#### 1. Joseph Stoltzfus – Deferral to Process a Land Development Plan

The project site is located at 405 Indiantown Road, Ephrata. The proposal is a Lot Addition Plan in which Parcel A comprised of 1.65 acres is being transferred from Lot 1 – lands of Eli and Sara Lantz to Lot 2 – lands of Amos and Barbara Stoltzfus. The total land holdings involved in the project are 62.24 acres. The majority of the property is located in West Cocalico Township. There is a portion of land (0.30+ acre) located on the West side of Indian Run and the East side of Sunnyside Road that is located in Clay Township.

The plan is being conducted for side / rear lot addition purposes to add area to Lot 2. There will be no new construction resulting from the plan. All lands comprising the Lantz property Lot 1 are being used for agricultural purposes.

Keith Martin made a motion, seconded by Gary Landis to approve the request to waive SALDO requirements for the lot add-on plan, Mr. Stoltzfus will file a SALDO plan with West Cocalico Township. The Board of Supervisors granted a waiver rather than the requested deferral because the requirement will not be reviewed by Clay Township in the future, as the plan review will occur entirely within West Cocalico Townshp. \* The decision was unanimously approved.

#### 2. Edwin Kurtz – Request for Land Development Waiver

Mr. Kurtz asked the Board of Supervisors to consider a waiver of land development for his proposed chicken house construction (46X380). Considering the proposed chicken house, cumulative new roof area is 32,280 sq ft since 12/13/2000. The proposed would be 2,280 sq ft over the allotted 30,000 sq ft allowed under the Township Ordinance.

After discussion and consideration of the comments and recommendations of the Planning Commission, Keith Martin made a motion, seconded by Gary Landis to approve Mr. Kurtz's request for land development waiver. Supervisors Martin and Lausch considered the fact that the Planning Commission recommendation against the granting of the waiver request was based largely on the need to have a bright line standard rather than the physical characteristics of the site, as well as the fact that Mr. Kurtz will need to prepare a Stormwater Plan and meet all other requirements. Supervisor Landis, while sympathetic to the request by Mr. Kurtz, agrees with the Planning Commission that a limit has been established by Ordinance and, therefore, the recently adopted increased limit should be followed. \* Gary Landis, No; Tim Lausch, Yes; Keith Martin, Yes.

### 3. Hopeland Sewer System – L&I Update

Bob Lynn stated that flows in the gravity side of the system are high. He didn't have exact numbers at this time, they were still being calculated.

Keith Martin made a motion, seconded by Gary Landis to authorize Hanover Engineering Associates to check manholes for leaks and place flow meters to isolate high flow areas. \* The motion was unanimously improved.

### 4. Countryside Enterprises – Amended Storm Water Mgmt Plan for Tents for Rent property

This item was tabled until later in the meeting.

## **Old Business**

### 1. Gutter Cleaning

Tim Lausch asked Earl Stauffer the timing of the pipe replacement at Durlach Hill Road and Durlach Road. Earl said that the work will be completed in early May. Earl will remove the paving and determine the best method of repair by the 4/28/15 meeting.

## **New Business**

### 7. Driveway Expansion Request

Rick Bernarduci is requesting permission to install an additional 8'X20' paved driveway area as indicated on the drawing. New paved driveway area will encroach a private stormwater easement for future lateral to homes on Weidmansville Road.

Gary Landis made a motion, seconded by Keith Martin to allow Mr. Bernarduci to place macadam driveway as per drawing (using existing driveway approach from street). Any damage during install of sewer lateral in the future will be at Mr. Bernarduci's or subsequent home owners expense. Expenses incurred from creating an agreement and recording will be paid by Mr. Bernarduci. \* The motion was unanimously approved.

\*\* Keith Martin dismissed himself from the meeting at this time because of an employment conflict interest with the Countryside Enterprises project. \*\*

## **Engineer's Report**

### 4. Countryside Enterprises – Amended Stormwater Mgmt Plan for Tents for Rent property and Intersection Improvements

After review, Gary Landis made a motion, seconded by Tim Lausch to approve and execute the amended and restated Stormwater Management Agreement to reflect utilization of a 90,000 gallon cistern to collect stormwater to be used for washing tents and vehicles. \* The motion was unanimously approved.

On a separate but related matter, Tom Mattson stated that his client is interested in moving forward with the preparation of a Preliminary Plan and to further discuss Clay Township's possible willingness to make a \$50,000 contribution towards necessary intersection improvements. Mr. Mattson stated that the Township's intersection improvement plan includes improvement to all four intersections at 322/Durlach/Woodcorner intersection. However, Countryside Enterprises plan indicates only one intersection improvement would be required. Countryside Enterprises requests that the Township considers increasing its contribution offer.

The Township Staff will research past history. Gary Landis, Bruce Leisey and Bob Lynn will meet to discuss findings and will meet mid-May with Developer. No further decisions were made.

\*\* Keith Martin returned to the meeting. \*\*

## **New Business**

### 1. Approve Use of Roads for Lancaster Bicycle Club Ride

Keith Martin made a motion, seconded by Gary Landis to approve use of Clay Township roads for the Lancaster Bicycle Club's 37<sup>th</sup> Annual Covered Bridge Metric Century ride on Sunday, August 16<sup>th</sup> contingent on the Township receiving a Certificate of Insurance. \* The motion was unanimously approved.

### 2. Attendance at Stormwater Certification Course

Gary Landis made a motion, seconded by Tim Lausch to approve attendance and cost associated with course (course fee, lodging and transportation) upon successful completion for Certified Stormwater Inspector on May 11<sup>th</sup> and 12<sup>th</sup> in Philadelphia at an approximate cost of \$824. \* The motion was unanimously approved.

3. Discussion on Proposed PSATS 2015 Resolutions

Keith Martin made a motion, seconded by Gary Landis to authorize Bruce Leisey, Township Manager to vote as discussed on proposed resolutions. \* The motion was unanimously approved.

4. Approve Advertising for Parking Restriction Ordinance

Gary Landis made a motion, seconded by Keith Martin to authorize advertising of Ordinance to prohibit all parking on Clay School Road beginning from a point 175' North of the center of the intersection of Clay School Road and Bethlehem Lane and proceeding 565' South from center of the same intersection. \* The motion was unanimously approved.

5. Approve Purchase of RAC GEO II Distance Measuring Equip

Keith Martin made a motion, seconded by Gary Landis to approve purchase of the RAC GEO II mobile measuring equipment at a cost of \$798.00 from JAMAR Technologies, Inc of Hatfield, PA. \* The motion was unanimously approved.

6. Approve Loan Refinancing

Bruce Leisey, Township Manager discussed information received on options to refinance the Township's 1,710,206.00 building loan.

After discussion, Keith Martin made a motion, seconded by Gary Landis to authorize Bruce Leisey, Township Manager to proceed with agreement with Susquehanna Bank to modify the fixed term of the current building loan from 3.34% to 2.5% and to approve advertising of Ordinance to execute agreement. \* The motion was unanimously approved.

8. Approve Advertising for Audit Meeting

Gary Landis made a motion, seconded by Keith Martin to approve advertising of 2015 Audit Meeting. \* The motion was unanimously approved.

9. Approve Seal Coating and Line Painting Bids

Gary Landis made a motion, seconded by Keith Martin to approve and execute bids for seal coating in the amount of .914 per sq yd single application and 1.9754 for double application at a total cost of \$176,220.68 to Martin Limestone and line painting at .045 for single line and .885 for double line for a total cost of \$23,956.50 to A-1 Traffic Control Products (per bids attached). \* The motion was unanimously approved.

## **Executive Session**

Keith Martin made a motion, seconded by Gary Landis to enter into executive session at 10:00 pm to discussion potential litigation and personnel issues. \* This motion was approved unanimously.

Keith Martin made a motion, seconded by Gary Landis to exit executive session at 11:12 pm. \* This motion was approved unanimously.

### 10. Approve Hiring of Seasonal Help

Gary Landis made a motion, seconded by Keith Martin to approve hiring of Jeremy Kachel and Tom Reapson at an hourly rate of up to \$12.00 an hour for Seasonal Road and Park work. \* The motion was approved unanimously.

### 11. Approve Bid Advertising for Road Work Projects

Keith Martin made a motion, seconded by Gary Landis to approve advertising for bids to complete the Forest Hill Road project and Lime Rock Road bridge project. \* The motion was approved unanimously.

### 12. Discussion on Utilizing Hanover Engineering Summer Intern

Gary Landis made a motion, seconded by Keith Martin to contract with Hanover Engineering to utilize their Summer Intern to GPS map and indicate size, type and condition of stormwater pipes, swales, inlets and outlets as per requirement of Township's MS4 Permit at a cost of \$20.00 per hour travel included. \* The motion was approved unanimously.

Bob Lynn, Hanover Engineering will submit formal proposal to Township for execution at next meeting.

### 13. Old Office Building Repairs

Gary Landis made a motion, seconded by Keith Martin to approve agreement with John Weidman & Sons to install HVAC returns in three rooms at old office building in the amount of \$5,360.00. \* The motion was approved unanimously.

### 14. Red Maple Mobile Home Park

Gary Landis made a motion, seconded by Keith Martin to authorize Randy Maurer, Building Code Official, to complete a Property Maintenance Inspection at Red Maple Mobile Home Park and issue Notice of Violation if necessary. \* The motion was approved unanimously.

**Bills to be Paid**

**General Fund**

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$108,387.08 for the month of March. \* The motion was approved unanimously.

**Rec Fund**

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$2,143.70 for the month of March. \* The motion was approved unanimously.

**Sewer Fund**

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$3,679.10 for the month of March. \* The motion was approved unanimously.

**Reports for the Month**

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
3. DMR
4. Planning Commission Minutes
5. Engineer's Report
6. Manager's Report
7. Zoning Officer's Report
8. Road Master's Report

**Adjournment**

Gary Landis made a motion, seconded by Keith Martin, to adjourn the meeting at 11:40 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