

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
August 10, 2020

The Supervisors of Clay Township met on a regularly scheduled meeting date of August 10, 2020, 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, Jennifer Mejia of Mejia Law Group, Township Solicitor, and Bob Lynn of Hanover Engineering, Township Engineer.

Also attending were those listed on the meeting attendance sheet, which is attached to these Minutes.

Tim Lausch called the Meeting to order at 6:32 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Gary Landis to approve the July 13, 2020 meeting minutes. * The motion was unanimously approved.

Treasurer's Report

Keith Martin made a motion, seconded by Gary Landis to approve the Treasurer's Report for the month of July 2020. * The motion was unanimously approved.

Engineer's Report

1. Marlin and Wanda Martin – Request for Time Extension

Bruce Leisey requested the Board of Supervisors table a decision at this time. Bruce informed the Board of Supervisors he has received a verbal request for time extension but did not have a written request for the time extension at the time of the meeting. Bruce is expecting a written request to be submitted directly.

The Board of Supervisions tabled this time extension request at this time.

2. Blue Bell MHP – Request for Time Extension

Bruce Leisey reviewed the time extension request with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to approve the time extension until 11/10/2020. * The motion was approved unanimously.

3. Lincoln West Storage – Escrow Reduction Request

Bruce Leisey reviewed the escrow reduction request with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve an escrow reduction in the amount of \$360,082.04, leaving an escrow balance of \$48,811.05 per recommendation in Hanover Engineering letter dated July 31, 2020. * The motion was unanimously approved.

4. Homestead Investments – Land Development Plan

Marcus Kline, Developer and Kevin Varner, Diehm & Sons reviewed the plan with the Board of Supervisors. The plan proposes construction of a 9,150 sq ft addition to an existing industrial building, 40'X50' dumpster area, eleven (11) parking spaces (with 16 more in a future phase), a new connection to public sewer infrastructure, and other associated infrastructure.

Keith Martin made a motion, seconded by Gary Landis to approve the following waiver and deferrals as outlined in the Hanover Engineering letter dated 8/10/20 and a waiver of Section 403.E.4.f – Land Development Agreement. * The motion was unanimously approved.

Section 303 and Section 309 – Submission of a Preliminary Plan

The applicant is requesting a waiver of the requirement to submit a preliminary plan. The justification provided is that the project is located on an existing lot of record. The applicant notes that the plan submission includes items for both preliminary and final plan information. The applicant feels that the project is not complicated and notes that it does not have any phasing components.

Section 602.k.3 – Improvement of existing streets along Durlach Road

The applicant is requesting a deferral of the requirement to provide roadway improvements along Durlach Road until such time as the Township deems them necessary. The applicant notes that the sidewalk would not connect to an existing network of sidewalk or pedestrian walkways. The applicant feels that to widen and install curbing along only a section of Durlach Road would result in piecemeal improvements. The applicant states that as noted on the plan, the improvements must be installed by property owners at the sole discretion of the Township.

Section 603.B – Installation of Sidewalks along Durlach Road

The applicant is requesting a deferral of the requirement to provide sidewalk improvements along Durlach Road until such time as the Township deems them necessary. The applicant notes that the sidewalk would not connect to an existing network of sidewalk or pedestrian walkways. The applicant feels that to widen and install curbing along only a section of Durlach Road would result in piecemeal improvements. The applicant states that as noted on the plan, the improvements must be installed by property owners at the sole discretion of the Township.

Section 603.C – Installation of Curb along Durlach Road

The applicant is requesting a deferral of the requirement to provide curbing along Durlach Road until such time as the Township deems it necessary. The applicant feels that to widen and install curbing along only a section of Durlach Road would result in piecemeal improvements. The applicant states that as noted on the plan, the improvements must be installed by property owners at the sole discretion of the Township.

Section 603.A.1.g – Lighting for Parking Compounds

The applicant is requesting a deferral of the requirement to provide lighting for parking compounds. The justification provided is that the site currently has more parking spaces than are needed. The applicant notes that the expansion is mainly a warehouse building addition. The applicant further states that there are several parking spaces that will be eliminated with the expansion. The plan proposes to relocate these spaces. The applicant requests that the increase in the number of spaces be deferred. The applicant notes that the plan has allocated an area for future parking should they become necessary. The applicant further states that as noted on the plan, the improvements must be installed by property owners at the sole discretion of the Township.

Section 603.A.1.m – Landscaping for Parking Compounds

The applicant is requesting a deferral of the requirement to provide landscaping for parking compounds. The justification provided is that the site currently has more parking spaces than are needed. The applicant notes that the expansion is mainly a warehouse building addition. The applicant further states that there are several parking spaces that will be eliminated with the expansion. The plan proposes to relocate these spaces. The applicant requests that the increase in the number of spaces be deferred. The applicant notes that the plan has allocated an area for future parking should they become necessary. The applicant further states that as noted on the plan, the improvements must be installed by property owners at the sole discretion of the Township.

Section 603.A.1.p – Parking Compounds Shall be Paved

The applicant is requesting a deferral of the requirement to provide paving for parking compounds. The justification provided is that the site currently has more parking spaces than are needed. The applicant notes that the expansion is mainly a warehouse building addition. The applicant further states that there are several parking spaces that will be eliminated with the

expansion. The plan proposes to relocate these spaces. The applicant requests that the increase in the number of spaces be deferred. The applicant notes that the plan has allocated an area for future parking should they become necessary. The applicant further states that as noted on the plan, the improvements must be installed by property owners at the sole discretion of the Township.

Keith Martin made a motion, seconded by Gary Landis to approve the plan contingent on compliance with the Hanover Engineering letter dated 8/10/10. * The motion was unanimously approved.

5. Fox Family Partners, LP – Request for Extension of Land Development Waiver for Parking Lot

Bruce Leisey reviewed the written request from Fox Family Partners, LP dated July 9, 2020 with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to approve the extension of waiver of Land Development for Fox Creamery parking lot on the Robert Fox farm until August 10, 2021. * The motion was unanimously approved.

Old Business

1. Update on Sewer I&I Project

Bob Lynn informed the Board of Supervisors that there was no new update at this time.

2. Correspondence from PA DEP

Bruce Leisey reviewed information supplied by Clean Water Inc, sewer plant operator, and will complete corrective action plan by next month.

New Business

1. Approve Advertising Clay Township Vacancy Board

After discussion, Keith Martin made a motion, seconded by Gary Landis to approve advertising of Clay Township Vacancy Board meeting on 8/25/20 at 7:00 AM to appoint replacement for vacant position on Auditor's Board. * The motion was unanimously approved.

2. Multi Modal Grant

There was discussion on the PA DOT Multi Modal Transportation fund denial letter received by the Township.

Keith Martin made a motion, seconded by Gary Landis to authorize Township Staff to submit an application for 2021-2022 Grant. * The motion was unanimously approved.

Executive Session

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 8:14 PM to discuss personnel issues and potential litigation. * The motion was approved unanimously.

Gary Landis made a motion, seconded by Keith Martin to exit Executive Session at 9:11 PM. * The motion was approved unanimously.

There was discussion on past due sewer user fees, the Sewer Agreement Extension with Ephrata Borough and building lease extension with the NLCRPD.

Keith Martin made a motion, seconded by Gary Landis to seek advice from the Township Solicitor to determine if the COVID 19 Pandemic has had any affect on the Township's ability to file a lien for past due sewer user fees. * The motion was unanimously approved.

Bills to be Paid

General Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$243,292.99 for the month of July. * The motion was approved unanimously.

Rec Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$983.27 for the month of July. * The motion was approved unanimously.

Sewer Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$5,069.27 for the month of July. * The motion was approved unanimously.

Liquid Fuel Fund

Gary Landis made a motion, seconded by Keith Martin to approve the Liquid Fuel Fund bills totaling \$126,198.66 for the month of July. * The motion was approved Unanimously.

Reports for the Month

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

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 9:22 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary