

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
August 11, 2014

The Supervisors of Clay Township met on a regularly scheduled meeting date of August 11, 2014, 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 Tim Lausch to approve the July 14, 2014 meeting minutes as printed in the August 11, 2014 agenda. \* The motion was approved unanimously.

\*\* Gary Landis arrived at the meeting 7:07 p.m. \*\*

**Treasurer's Report**

Gary Landis made a motion, seconded by Keith Martin, to approve the Treasurer's Report for the month of July, 2014. \*The motion was approved unanimously.

**Visitors**

None

## **Engineer's Report**

### 1. Fox Creamery – Waiver of Clear Site Triangle Restriction

Howard Horst, Horst Signs and Robert and Corey Fox, Developers reviewed the waiver request with the Board of Supervisors. The new proposed sign for the creamery will encroach in the clear sight triangle of the intersection of Rt 322 and North Clay Road but will not be closer to the road than the existing sign. The proposed sign would not be visible from the road if it was placed outside the clear site triangle requirement. It should be noted that there is no impact to the required safe stopping sight distance as defined and regulated by PennDOT at this intersection. The provided exhibits indicate that the clear sight triangle will be improved from the previous sign.

Keith Martin made a motion, seconded by Gary Landis to approve waiver of SALDO Section 602N1 – Clear Site Triangles – to allow the new proposed sign to be placed in the clear sight triangle as indicated on the drawing submitted by Horst Signs. \* The motion was unanimously approved.

\*\* Keith Martin excused himself from the meeting due to a conflict of interest involving the next matter on the Agenda, in that Supervisor Martin has, and may in the future, at times been employed by the Developer \*\*

### 2. Countryside Enterprises – Escrow Release Request

Bob Lynn reviewed the escrow release request with the Board of Supervisors.

Gary Landis made a motion, seconded by Tim Lausch to approve Escrow Release in the amount of \$355,922.90. Escrow in the amount of \$89,373.45, including stormwater management facilities, erosion and sedimentation control, street and parking lot improvements, landscaping and lighting, miscellaneous items, 10% of the total cost for contingencies and 5% of the total cost for construction observation will be retained. \* The motion was unanimously approved.

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

## **New Business**

### 1. 2110 West Main Street – Relief from fence type, size and location requirement

Travis Weaver of 2110 West Main Street installed a fence along the front and side of his property without knowledge that he needed a permit. Mr. Weaver is asking the Board of Supervisors for relief the fence is 6' high, solid and is installed on the property line which is in violation of the

Township Ordinances. Mr. Weaver submitted a signed letter from his neighbor indicating his approval of the location, type and size of the fence.

Keith Martin made a motion, seconded by Gary Landis to approve relief from Chapter 10, Sections 104b, 104h and 104i of the Clay Township Code of Ordinances contingent on Mr. Weaver obtaining a permit for the fence. \* The motion was unanimously approved.

## 2. National Night Out

Chief Steffen updated the Board on the activities during the National Night Out event.

Gary Landis would like to thank the Northern Lancaster Country Regional Police department for organizing National Night Out event.

## **Old Business**

### 1. Village of Clay Sewer Feasibility Study

Bruce Leisey updated the Board of Supervisors on the process.

Keith Martin made a motion, seconded by Gary Landis to approve advertising of a meeting on Wednesday, August 27<sup>th</sup> at 7:00 pm to meet with property owners to discuss sewage disposal options and concerns. \* The motion was approved unanimously.

### 2. Draft False Alarm Ordinance

There was further discussion on the proposed False Alarm Ordinance. The Board of Supervisors is inclined to adopt at a later date after the draft ordinance is reviewed by the NLCRPD Solicitor.

## **New Business - Cont**

### 3. Advertise Road Tour Meeting

Gary Landis made a motion, seconded by Keith Martin to authorize advertising for the annual Road Tour meeting on Wednesday, September 3<sup>rd</sup> at 7:30 am. \* The motion was unanimously approved.

### **Old Business - Cont**

#### 3. Rock Road Bridge

This item was tabled at the July Board of Supervisors meeting. The Board of Supervisors agreed to table at this time and review during the 2015 budget process.

### **Executive Session**

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

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session. \* The motion was unanimously approved.

#### 1. Response to correspondence receive from counsel of Ephrata Property Management, LLC

After review, the Board of Supervisors authorized the Township Solicitor to inform Ephrata Property Management, LLC counsel that the Board of Supervisors directed the Township Engineer to investigate the matter to determine the present condition's from an engineering perspective. The Board of Supervisor's will respond in a timely fashion after it is able to review the current conditions and possible solutions.

#### 2. Red Maple Mobile Home Park Lot #4

The Board of Supervisors authorized the Building Code Official to meet with the owner of Red Maple Mobile Home Park to review unresolved issues with the mobile home located on Lot #4.

#### 3. E. L. Lankowski Escrow Release

The Board of Supervisors approved a one (1) lot subdivision for Mr. Lankowski (Plan 05-09) in 2009 at which time he posted a cash escrow in the amount of \$7,934.00. Mr. Lankowski sold the lot to his son who was planning to develop the lot. Circumstances have arrised and the lot will not be developed in the near future.

Gary Landis made a motion, seconded by Keith Martin to approve cash escrow release in the amount of \$7,934.00, contingent on receiving written request from Mr. Lankowski. \* The motion was approved unanimously.

**Bills to be Paid**

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$116,634.69 for the month of July. \* The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$424.33 for the month of July. \* The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$3,380.71 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. DMR
4. Ambulance
5. Solicitor’s Report
6. Engineer’s Report
7. Planning Commission Minutes
8. EAJA

**Adjournment**

Gary Landis made a motion, seconded by Keith Martin, to adjourn the meeting at 9:45 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