

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
December 10, 2018

The Supervisors of Clay Township met on a regularly scheduled meeting date of December 10, 2018, 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, Robert Lynn of Hanover Engineering, Inc., Township Engineer and Jennifer Mejia of Mejia Law Group, Township Solicitor.

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

Tim Lausch called the Meeting to order at 6:35 p.m.

**Meeting Minutes**

Gary Landis made a motion, seconded by Keith Martin to approve the November 12, 2018 meeting minutes as printed in the December 10, 2018 Agenda. \* 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 November 2018. \* The motion was unanimously approved.

**Visitors**

1. David Martin, 502 Foggy Bottom Road

Mr. Martin recognized Bruce Leisey for engaging in conversation with him to discuss issues related to the Wildflower Pond HOA.

He stated that his concerns were addressed to his satisfaction.

2. Gary Felpel, Paul Gough and John Weber – Charity Gardens HOA Lighting Request

The members asked the Board of Supervisors for permission to install 6 street lights in the Township ROW along Agape Drive at the Charity Gardens Park. The street lights will be the same style as the existing street lights. The Charity Gardens HOA will pay for costs of installation, maintenance and electricity. The additional street lights are being requested because of concerns with safety at the park after dark.

The Board of Supervisors are generally in favor of the request but would like written notification from the HOA that all members have been notified regarding the new street lights and the costs associated with the new street lights. A determination will also be made if the existing ROW Agreement is adequate.

### **Engineer's Report**

#### 1. HomeTowne Square Ph 4 – Time Extension Request

After review, Gary Landis made a motion, seconded by Keith Martin to approve request for HomeTowne Square Ph 4 time extension to April 21, 2019 to allow time to resolve issues. \* The motion was unanimously approved.

#### 2. HomeTowne Square – Stormwater NOV

Tabled until later in the meeting.

#### 3. Lincoln Storage West – Time Extension Request

After review, Keith Martin made a motion, seconded by Gary Landis to approve request for a 90 day time extension to March 12, 2019 to allow time to resolve issues. \* The motion was unanimously approved.

#### 4. Blue Lake Builders – Escrow Release Request

This item was tabled until the next meeting.

This escrow request was originally denied at the November 12, 2018 meeting and the necessary notice was provided to Developer. Discussions between the Developer, Township Engineer and the Township Manager on the reasoning of the denial followed.

This item was put on the December agenda for discussion between the Developer and Township staff. Prior to the meeting and after the Agenda was finalized the Developer agreed to resubmit an escrow release request after scheduling a meeting on site with Township staff.

\*\* Gary Landis abstained from the next item because of a conflict. \*\*

5. Chris Landis – Escrow Release and Relief from “As Built” Plans

After review, Keith Martin made a motion, seconded by Tim Lausch to release the entire balance of the escrow in the amount of \$3,917.98. The Township also accepts the NPDES “As Built” plan and waives the Clay Township “As Built” plan requirement, contingent on the NPDES plan being received within 90 days. \* The motion was unanimously approved with Gary Landis abstaining from the vote.

6. First Response Team of America – Escrow Release Request

After review, Gary Landis made a motion, seconded by Keith Martin to release escrow in the amount of \$313,500.00 leaving a balance of \$551,080.93. \* The motion was unanimously approved.

7. HomeTowne Square Phase I & II – Escrow Release Request

After review, Keith Martin made a motion, seconded by Gary Landis to release escrow in the amount of \$51,897.91, leaving a balance of \$165,018.98 for HomeTowne Square Phase I. \* The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to release escrow in the amount of \$244,833.39, leaving a balance of \$267,515.39 for HomeTowne Square Phase II. \* The motion was unanimously approved.

2. HomeTowne Square – Storm Water NOV

Clair Weaver, Landmark representative, stated he is working with the Attorney for Lincoln West Storage on an agreement to convey stormwater from the Hometowne Square Development across the Lincoln Storage property. Mr. Weaver believes they have an agreement drafted but not signed at this point.

This item was tabled until the January 14, 2019 meeting.

### **Old Business**

1. Sewer Lateral Inspections

This item was tabled until Executive Session.

### **New Business**

1. Approve Use of Meeting Room for 2019 Real Estate Tax Collection

Keith Martin made a motion, seconded by Gary Landis to approve use of the meeting room for the local tax collector to collect real estate taxes on February 21, March 13, April 17 and April 25. \* The motion was unanimously approved.

2. 2019 Budget Review

Bruce Leisey reviewed the draft 2019 Budget with the Board of Supervisors and audience.

There are no proposed changes from the draft 2019 Budget that was approved for advertising.

3. Approve Advertising of 2019 Meeting Dates

Keith Martin made a motion, seconded by Gary Landis to approve advertising of the 2019 Meeting Dates as printed in the meeting agenda. \* The motion was approved, with Gary Landis voting no because of concerns with the 6:30 p.m. starting time of the Board of Supervisors meeting.

4. Accept 2017 Liquid Fuel Audit Report

After discussion, Keith Martin made a motion, seconded by Gary Landis to accept the 2017 Liquid Fuel Audit Report and asked Bruce Leisey to provide a formal response to the Findings noted in the report. \* The motion was unanimously approved.

5. Approve Traffic Signal Preventative Maintenance Agreement

After review, Gary Landis made a motion, seconded by Keith Martin to approve and execute the 2019 Traffic Signal Preventative Maintenance Agreement with CM High in the amount of \$1,395.00. \* The motion was unanimously approved.

### **Executive Session**

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 9:05 PM to discuss potential litigation and personnel issues. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 9:50 PM. \* The motion was unanimously approved.

There was discussion on issues related to Hopeland Sewer System, the updated Sewage Treatment Agreement with Ephrata Sewer Authority and personnel issues.

No decisions were made at this time.

### **Bills to be Paid**

#### **General Fund**

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$43,883.93 for the month of November. \* The motion was approved unanimously.

#### **Rec Fund**

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$356.49 for the month of November. \* The motion was approved unanimously.

#### **Sewer Fund**

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$2,536.76 for the month of November. \* The motion was approved unanimously.

### **Reports for the Month**

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
1. Planning Commission Minutes
2. Engineer's Report
5. Manager's Report

6. Road Master's Report

**Adjournment**

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 9:56 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