

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
February 10, 2014

The Supervisors of Clay Township met on a regularly scheduled meeting date of February 10, 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 Secretary and Gary Landis.

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 7:00 p.m. At that time he introduced the newly appointed Supervisor Gary Landis.

Meeting Minutes

Keith Martin made a motion, seconded by Tim Lausch to approve the January 6, 2014 meeting minutes as printed in the February 10, 2014 agenda. * The motion was approved unanimously with Gary Landis abstaining from the vote.

Keith Martin made a motion, seconded by Tim Lausch to approve the January 13, 2014 meeting minutes as printed in the February 10, 2014 agenda. * The motion was approved unanimously with Gary Landis abstaining from the vote.

Keith Martin made a motion, seconded by Tim Lausch to approve the January 14, 2014 meeting minutes as printed in the February 10, 2014 agenda. * The motion was approved unanimously with Gary Landis abstaining from the vote.

Keith Martin made a motion, seconded by Tim Lausch to approve the January 27, 2014 meeting minutes as printed in the February 10, 2014 agenda. * The motion was approved unanimously with Gary Landis abstaining from the vote.

Treasurer's Report

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

Visitors

1. Lou Katz, 30 Meadow Drive

Mr. Katz has concerns with residents parking on the street during snow events making it difficult in plowing around cars. He is also concerned with the speed that the plow drivers are going and pushing snow up on the sidewalks.

The Township will send a letter to the Clearview Gardens Home Owners Association regarding moving cars off street during snow storms.

2. Herb Noak, 216 Woodchuck Drive

Mr. Noak also has concerns with residents parking on the street during snow events.

3. Fox Creamery

Ted Cromleigh, Diehm and Sons, discussed sewage issues with the Board of Supervisors.

Tim Lausch asked why the existing system can't be used.

Ted Cromleigh stated parking is needed and the building configuration cannot be modified. He also stated that the current system is in the flood plain.

Ted Cromleigh suggested the use of a small Package Flow System on the site and asked if the Board of Supervisors would consider such a system. Solicitor Jennifer Mejia stated that the Board of Supervisors would not be able to comment on the systems acceptability, as nothing regarding the system was submitted to the Township and, therefore, there was not adequate time to review the proposal.

Ted Cromleigh said that Ephrata Borough has an Ordinance that allows grinder pumps. He questioned why Ephrata Borough won't allow Fox Creamery to hook up and stated he would address the issue with the Borough.

Bob Fox said that he is trying to understand procedures but is frustrated with the time it takes to make decisions.

Ted Cromleigh stated he was going to have a meeting with DEP regarding the situation, and possibly a revision to Clay Township's Temporary Holding Tank Ordinance. Mr. Cromleigh invited the Township to participate. No decision was made.

Engineer's Report

1. Eastern Mennonite Publications – Plan Revision

Keith Martin made a motion, seconded by Gary Landis to approve Eastern Mennonite Publications plan revision which raises the building floor up to eliminate the storm water pipe, water will sheet flow into the Kurtz retention basin through Norman Kurtz's property. Approval is conditional on approval of the revision by Mr. Kurtz. * The motion was unanimously approved. ** Keith Martin excused himself from the meeting. **

2. Rachel C. Martin – Escrow Release Request

Bob Lynn informed the Board of Supervisors of items that have been completed. The site is currently not completely stabilized with grass. The Developer stated a preference for a cash escrow to secure the stabilization. Bob Lynn recommended a release of the escrow in the amount of \$73,867.17 and to require the Developer to put up \$3,000 cash escrow to guarantee stabilization.

Gary Landis made a motion, seconded by Tim Lausch to release escrow in the amount of \$73,867.17 and require Developer to put up \$3,000 cash escrow for future guarantee. * The motion was unanimously approved.

** Keith Martin returned to the meeting. **

3. Matt Yutzy – Stormwater Management Plan

This item was tabled until the next meeting.

4. HomeTowne Square Phase 1 – Escrow Release Request

After review, and upon recommendation of Hanover Engineering, Keith Martin made a motion, seconded by Gary Landis to approve release of escrow in the amount of \$92,993.00 leaving an ending balance of \$356,365.04. * The motion was unanimously approved.

5. Authorize Development of Bids Documents for Rock Road Bridge Repair

Gary Landis made a motion, seconded by Keith Martin to authorize the Township Engineer to complete the bid package for repairs to the Rock Road Bridge. * The motion was unanimously approved.

Old Business

1. Wildflower Pond

Jennifer Mejia stated that we have received no complaints from residents on the snow removal to date. She also said that the Developer is in process of scheduling a meeting with the residents to begin the process to turn Home Owners Association over to property owners.

2. Approve Joint Purchase Agreement of Asphalt Zipper

Keith Martin made a motion, seconded by Gary Landis to approve execution of the Joint Purchase Agreement between Warwick Township, Penn Township, Ephrata Township and Clay Township to purchase a refurbished Asphalt Zipper. * The motion was unanimously approved.

New Business

1. Execute Internet User Licensing Agreement with Penn Dot

Tabled until next meeting and more information can be collected.

2. Adopt Resolution to Participate in Co-Operative Bidding and Purchasing

Gary Landis made a motion, seconded by Keith Martin to adopt Resolution# 021014 to participate in co-operative bidding and purchasing of seal coating and line painting services for 2014. * The motion was approved unanimously.

3. Approve MH Permits for UMH Properties, Red Maple and Victoria Manor

Gary Landis made a motion, seconded by Keith Martin to approve the mobile home park permits for UMH Properties, Red Maple and Victoria Manor for year ending 12/31/14. * The motion was approved unanimously.

4. Review Proposal for Merchant Processing Services

Tabled until next meeting and more information can be collected.

5. Review Request for Rec Alliance Bike Ride

Keith Martin made a motion, seconded by Gary Landis to approve the request from Rec Alliance to hold a bike ride on Township Roads on Sunday, June 22, 2014. * The motion was approved unanimously.

6. Approve Advertising of Blue Ridge Cable Franchise Agreement

Gary Landis made a motion, seconded by Keith Martin to approve advertising of the Blue Ridge Cable Franchise Agreement. * The motion was approved unanimously.

7. Adopt Resolution to Change Bank Signature Cards

Gary Landis made a motion, seconded by Keith Martin to adopt Resolution #021014A to remove Justin Harnish and add Gary Landis to the bank signature cards at Susquehanna Trust. * The motion was approved unanimously.

8. Contribution to Durlach Mt. Airy Fire Co Radio Project

Durlach Mt. Airy Fire Company must purchase new radios to be compatible with the new EMS radio frequency in the amount of \$28,219.61.

This item was tabled until further information could be collected.

9. Adopt Ordinance for 35 MPH Speed Limit on Lincoln Garden Road

Gary Landis made a motion, seconded by Keith Martin to approve adoption of Ordinance for 35 MPH speed limit on Lincoln Garden Road from township line to Hackman Road. * The motion was approved unanimously.

10. CBPR Plan Baseline Cost Share

Gary Landis made a motion, seconded by Keith Martin to approve participation in the CBPR Plan Baseline project by Land Studies Inc. at a cost of \$2,086.67. * The motion was approved unanimously.

11. Appoint Auditor

Keith Martin made a motion, seconded by Gary Landis to appoint Craig Merkey, 1330 Forest Hill Road, Stevens to fill the Auditor position vacated by Gary Landis who was appointed Supervisors on January 27, 2014. Mr. Merkey will serve until December 31, 2015. * The motion was approved unanimously.

Executive Session

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 9:00 PM to discuss personnel issues. * The motion was approved unanimously.

Gary Landis made a motion, seconded by Keith Martin to exit Executive Session at 9:45 PM. * The motion was approved unanimously.

Gary Landis made a motion, seconded by Keith Martin to appoint Jon Price, 106 Forry Drive, to the Clay Township Planning Commission. Mr. Price will serve the balance of Willis Lefever term which ends on 12/31/2014. * The motion was approved unanimously.

Tim Lausch made a motion, seconded by Keith Martin to appoint Gary Landis as Secretary of the Board of Supervisors and to appoint him as the Clay Township representative to Ephrata Area Joint Water Authority. * 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 \$39,900.36 for the month of January. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$646.73 for the month of January. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$4,087.99 for the month of January. * The motion was approved unanimously.

Liquid Fuel Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Liquid Fuel Fund bills totaling \$14,650.60 for the month of January. * 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

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 9:55 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary