

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
May 8, 2017

The Supervisors of Clay Township met on a regularly scheduled meeting date of May 8, 2017, 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 7:00 p.m.

Meeting Minutes

Gary Landis made a motion, seconded by Keith Martin to approve the April 10, 2017 meeting minutes as printed in the May 8, 2017 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 April 2017. * The motion was unanimously approved.

Visitors

None

** Keith Martin abstained from the items discussed under Engineer's Report due to an employment conflict with Marlin Sensenig and personal project. **

Engineer's Report

1. Keith Martin – Waiver of Subdivision

Ted Cromleigh, Diehm and Sons, reviewed the Keith Martin waiver of subdivision request with the Board of Supervisors.

Keith Martin is the applicant owns a 53.1 acre farm located at 1111 Forest Hill Road. There is a 6.66 acre tract of AG land that is separated by the PA Turnpike from the balance of the property which has created a natural subdivision from the remaining tract. The isolated tract has remained in the singular deed description of the Martin Farm. The free standing parcel is now under agreement with an adjoining property owner.

Gary Landis made a motion, seconded by Tim Lausch to approve the request for a waiver of subdivision per the Hanover Engineering letter dated 4/25/17. * the motion was unanimously approved with Keith Martin abstaining from the Board discussion and vote.

2. Countryside Enterprises – Approval of Sewage Planning Module

Ted Cromleigh, Diehm and Sons, presented the Sewage Planning Module.

The site is located at 100 Wood Corner Road in the LI (Light Industrial) Zoning District. The parent tract is comprised of 75.1 acres. The subdivision is proposing to create seven (7) new “light industrial use lots” and construct a 1,439’ long cul-de-sac street. Public sewer will also be extended in a southerly direction along Wood Corner Road to a regional pump station to be constructed by the Developer on adjoining land of Kevin Martin. The pump station will be offered for dedication to the Ephrata Borough Sewer Authority upon completion. The Clay Township DEP 537 Plan identifies the site to be in a public sewer service area. Ephrata Borough has stated the need for a regional pump station to be built.

Gary Landis made a motion, seconded by Tim Lausch to approve and execute the Countryside Enterprises Sewage Planning Module. * The motion was unanimously approved with Keith Martin abstaining from the discussion and vote.

3. Countryside Enterprises – Discussion on Road Improvements

Marlin Sensenig, Developer, Jason Hess, Attorney for Developer and Ted Cromleigh, Diehm and Sons were present.

Ted Cromleigh, Diehm and Sons reviewed the road improvements narrative which he presented to the Board of Supervisors.

The plan now proposes six industrial lots to be served by a permanent cul-de-sac. The revised traffic study indicates a PM peak traffic increase of 26%. It is the Developers Counsel's opinion that the PA Municipal Planning Code does not permit the Township to require the developer to make off-site road improvements. However, the Developer is offering to contribute 26% of the cost of improvements the traffic study indicates necessary on Wood Corner Road and Durlach Road portions of the intersection., estimated to be \$377,500, in the amount of \$98,150.

After discussion, the Board of Supervisors decided to schedule a joint meeting with the Planning Commission and the Board of Supervisors to further discuss the road improvements.

Gary Landis made a motion, seconded by Tim Lausch to approve advertising of a joint meeting if needed with the Planning Commission and Board of Supervisors. The date will be determined. * The motion was unanimously approved with Keith Martin abstaining from the vote.

4. Countryside Enterprises – Time Extension Request

After review, Gary Landis made a motion, seconded by Tim Lausch to approve the written request for a 120 day time extension to take action on the Countryside Enterprises Final Subdivision Plan. The deadline for action has been extended to 8/22/17. Additional time is needed to resolve road improvement issues. * The motion was unanimously approved with Keith Martin abstaining from the vote.

Old Business

1. Sewer Feasibility Study Update

Jennifer Mejia has not received comments from Ephrata Borough. Jennifer will follow up with Ephrata Borough and report back at the next meeting.

2. Posting No Trucks on North Clay Road

Bob Lynn and Bruce Leisey are working with PennDot to determine actions needed to post intersection of North Clay Road and West Main Street (Rt322).

New Business

1. Approve Fireworks Display Application

Tim Good informed the Board of Supervisors of his request to hold a fireworks display at the Zimmerman farm, 975 A Lincoln Road, Lititz on Saturday, May 20, 2017 between 8:30 – 9:00 PM. Mr. Good submitted his application along with a sketch plan indicating the setbacks and safety boundaries.

Keith Martin made a motion, seconded by Gary Landis to approve the Fireworks Display application. It was noted that Mr. Good will contact the local fire department and police. * The motion was unanimously approved.

2. GAF Realty Management Group – Cancellation Notice of LOC

Bruce Leisey informed the Board of Supervisors that the GAF Realty Mgt Letter Of Credit will not be renewed by his financial institution. A letter will be sent to GAF Realty Mgt informing them that a replacement LOC at 100% dollar value of the improvements will need to be submitted to the Township by 8/1/2017 or the current LOC will be drawn on by the Township.

3. Award Municipal Co-Op Bids

After review, Gary Landis made a motion, seconded by Keith Martin to approve and execute the Municipal Co-Op Bids for sealcoating to Stewart & Tate, York at a cost of .915 sq yd for a total of \$98,873.99. Ultra Thin Type B paving to Asphalt Maintenance Solutions, Center Valley at a cost of 5.24 sq yd for a total of \$122,348.76. Line Painting to Midland Marking, Gaithersburg, MD at a cost of .048 single line and .093 double line for a total cost of \$16,635. The entire bid tabulation sheet is attached with the minutes. * The motion was unanimously approved.

4. Award Clay Township Road Bids

After discussion, Gary Landis made a motion, seconded by Keith Martin to award the bid for Yummerdall Rd and Summit Circle paving project to New Enterprise, New Enterprise PA at a cost of \$59,005.00. The entire bid tabulation sheet is attached with the minutes. * The motion was unanimously approved.

5. Seasonal Public Works

After discussion, Keith Martin made a motion, seconded by Gary Landis to approve the employment of Brady Sipe, Ephrata as a Seasonal Public Works employee at wages of \$11.00 per hour with benefits as available to seasonal employees as noted in the Township Employee Handbook and pending successful completion of a driver license and background check. * The motion was unanimously approved.

6. Purchase of New Mower

Earl Stauffer reviewed the mower quote that he received.

After discussion, Gary Landis made a motion, seconded by Keith Martin to approve purchase of a Ferris ZTR Mower in the amount of \$10,709.00 from Martin's Repair Shop as listed on Proposal #82423 dated 4/17/17 the mower was purchased under the PA Costars Contract. * The motion was unanimously approved.

7. Request for Payment for Snyder Park Pavilion Project

After review, Gary Landis made a motion, seconded by Keith Martin to approve payment for Amric Construction Contract #1, Payment Application #4 in the amount of \$13,030.11 and payment for Spotts Brothers Contract #2, Payment Application #3 in the amount of \$14,560.38. * The motion was unanimously approved.

8. Request for Change Order for Snyder Park Pavilion Project

After discussion, Keith Martin made a motion, seconded by Gary Landis to approve execution of Change Order #1 to extend the Substantial Completion Date from April 30, 2017 to May 31, 2017 and Final Completion Date from May 31, 2017 to June 30, 2017. The Change Order was requested due to delay in the manufacturing and delivery of the playground equipment and pavilion roof trusses. * The motion was unanimously approved.

9. Approve Preparation of MS4 NOI Submission

After discussion, Keith Martin made a motion, seconded by Gary Landis to authorize Hanover Engineering to prepare and submit a Notice of Intent (NOI) for continued MS4 permit coverage by September 16, 2017. This NOI will include an updated Pollution Reduction Plan and total Maximum Daily Load Plan. * The motion was unanimously approved.

10. 413 Countryside Drive – Relief from Height and Solid Fence Requirements

After review, Gary Landis made a motion, seconded by Keith Martin to grant relief from Chapter 10, Sections 104b and 104h of the Clay Township Code of Ordinances to install a fence that is over 60" and solid located on the property line on the side and rear yard to screen small children

from neighbor's large dog. Letter were submitted from adjoining neighbors indicating that they are in favor of the fence. * The motion was unanimously approved.

11. Zoning Officer Report

Tom Zorbaugh reviewed his report with the Board of Supervisors.

There was discussion on Transfer Developers Rights (TDR's) and possible modifications to the Clay Township Zoning Ordinance.

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 \$39,103.72 for the month of April. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$45,112.10 for the month of April. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$4,421.88 for the month of April. * The motion was approved unanimously.

Reports for the Month

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
3. Planning Commission Minutes
4. 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 9:55 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary