

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 10, 2022

The Supervisors of Clay Township met on a regularly scheduled meeting date of October 10, 2022, 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, Wendy Hackman, Administrative Assistant, Bob Lynn of Hanover Engineering, 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 6:31 p.m.

Meeting Minutes

Gary Landis made a motion, seconded by Keith Martin to approve the September 12, 2022, meeting minutes with the addition under New Business #3 “ The Township Solicitor reviewed applicable statute (PA Const Stat Ann §3554(d)) and shared a publication prepared by Disability Rights Pennsylvania addressing requests for reserved residential parking spaces on municipal streets.” * The motion was unanimously approved.

Treasurer’s Report

Keith Martin made a motion, seconded by Gary Landis to approve the Treasurer’s Report for September 2022. * The motion was unanimously approved.

Visitors

1. Ephrata Recreation Center – Maria Rotella

Maria Rotella, representative of the Ephrata Recreation Center, reviewed the Summer Municipal Recreation program with the Board of Supervisors.

There was a total of 17 programs offered with 236 children from Clay Township participating in the different programs.

The 2023 budget request was \$9,152.00 (same as 2022 and 2021). No decision was made on the request.

The Board of Supervisors thanked the Ephrata Recreation Center for the services that they provide to the community.

Engineer's Report

1. Superior Truss – Approval of Revised Final Plan

Tom Matteson, Diehm & Sons reviewed the revised plan with the Board of Supervisors. Woodcorner Properties has completed their development at 230 Enterprise Road. Now that the facility is operational, they have discovered two issues. The first is the need for additional covered truss storage. The second issue is that winds from the west are proving disruptive in the loading area (blowing over trusses, etc.). In order to alleviate both problems, the owner would like to construct an additional truss storage shed along the west side of the loading area. The proposed truss storage shed would be 225' long, 16' deep and 28' high. The proposed shed would provide additional storage space and act as a much-needed windbreak for the loading area.

There is an existing storm pipe and associated easement that will run under the proposed shed. Therefore, a request for a modification from Section 606.B of the SALDO and Section 11-301.R of the Stormwater Management Ordinance in order to permit the shed to be built across the easement on top of the storm pipe. The storm pipe is deep enough to be 2' below the footing of the foundation wall.

Keith Martin made a motion, seconded by Gary Landis to approve modification of Section 606.B of the SALDO and Section 11-301.R of the Stormwater Management Ordinance, both with regard to encroachment of structures within the stormwater management easement and approval of the Revised Final Plan contingent on compliance with the Hanover Engineering letter dated 9/21/22 Revised. * The motion was unanimously approved.

2. Ken Burkholder & Furnace Hills Retreat – Waiver of Subdivision Planning

Bob Lynn reviewed the waiver request with the Board of Supervisors. The plan is a lot add-on for the properties located at 285 Project Drive and 1610 Girl Scout Road. The properties combined are approximately 71.721 acres and straddles the boundary lines of Clay Township and West Cocalico Township. The northeastern portion of the property, approximately 18.567 acres, is located in West Cocalico Township. The portion of the property within West Cocalico Township is mainly zoned Agricultural with a minimal amount that is zoned Woodland while the overall subject area is predominantly wooded forest like land. The portion of the property located in Clay Township is zoned Forest Recreation and accounts for approximately 3.25 acres. The plan

proposes to annex the portion of land that is naturally separated from the main parcel of land owned by Furnace Hills Retreat since it's split by Project Drive and Girl Scout Road and add that to the adjoining Burkholder's land. Resulting in one lot, that will be contiguous for the lands that lie north of Girl Scout Road and Project Drive intersection. The majority of the new lot will all remain in West Cocalico Township with a small portion located in Clay Township.

Keith Martin made a motion, seconded by Gary Landis to defer the subdivision planning process to West Cocalico Township. * The motion was unanimously approved.

3. Key Aid – Waiver of Land Development

Bob Lynn reviewed the request with the Board of Supervisors. Key-Aid ACE Hardware is proposing a small lean-to addition to shelter existing retail space. The proposed addition is over existing pavement and results in no loss of parking spaces. It also complies with the side yard setback and will not increase traffic to the store.

Gary Landis made a motion, seconded by Keith Martin to approve the waiver of land development. * The motion was approved unanimously.

4. Approve Advertising of Update to Stormwater Management Ordinance

Bob Lynn reviewed the update to the Stormwater Management Ordinance with the Board of Supervisors.

Topics discussed were lifetime inspections of stormwater facilities, monies collected for those inspections, elicit discharge and agricultural exemptions.

Keith Martin made a motion, seconded by Gary Landis to approve advertising of the update to the Stormwater Management Ordinance for approval and adoption of the update at the November 14, 2022 Board of Supervisors meeting. * The motion was approved unanimously.

Old Business

1. Discussion on Joining EMS Authority

Bruce Leisey stated that the Township has met with another EMS provider and is still in the “fact finding” process.

The deadline date to join the EMS Authority is November 23, 2022.

New Business

1. Adopt Resolution #10102022 – Waiver of additional charges for Real Estate Taxes

Bruce Leisey reviewed the Resolution with the Board of Supervisors. Act 57 of 2022, amending the Local Tax Collection Law, was signed by Governor Wolf on July 11, 2022 and takes effect on October 10, 2022. Act 57 requires the Tax Collector to waive additional charges for real estate taxes in certain situations.

Gary Landis made a motion, seconded by Tim Lausch to adopt Resolution #10102022 – ACT 57 of 2022 Property Tax Penalty Waiver Provisions. * The motion was approved unanimously.

2. Approve Wissler Road Bridge Repair – Payment Application #1

Bob Lynn reviewed the payment application request with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve payment in the amount of \$45,896.40 for payment application #1 to Lobar Associates, Inc., Dillsburg for repairs made to the Wissler Road bridge. * The motion was approved unanimously.

Bills to be Paid

General Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$239,058.67 for the month of September. * The motion was approved unanimously.

Rec Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$2,792.04 for the month of September. * The motion was approved unanimously.

Sewer Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$3,422.60 for the month of September. * The motion was approved unanimously.

Executive Session

Gary Landis made a motion, seconded by Keith Martin to enter into Executive Session at 8:44 P.M. to discuss Personnel Issues and Potential Litigation. * The motion approved unanimously.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 9:19 P. M. *
The motion was approved unanimously.

There was discussion on potential land development and stormwater violations for a property located on Woodcorner Road, Lititz.

No decisions were made at this time.

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
9. Review Zoning Hearing Applications

Adjournment

Gary Landis made a motion, seconded by Keith Martin, to adjourn the meeting at 10:05 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary