

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 11, 2021

The Supervisors of Clay Township met on a regularly scheduled meeting date of October 11, 2021, 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, 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 13, 2021 meeting minutes with the following additions under Engineering #1 Wyndale.

There was discussion on the Rec fee in lieu of offer of open space in the amount of \$2,300 per dwelling unit for recreation to be provided to the Township. *“There was discussion on the developer having the option to construct recreation facilities in lieu of a portion of the monetary contribution upon consent of the Township. This option is discretionary with the Township and if there are no projects the Township determines to be acceptable, the developer shall pay the full amount due.”* The developer acknowledged this requirement and consented to the amount.

Gary Landis made a motion, seconded by Keith Martin to approve and accept Rec Fee in lieu of recreation open space in the amount of \$2,300 per dwelling unit with a minimum of 96 units. *“With the option to construct recreation facilities in lieu of a portion of the monetary contribution with consent of the Township, at Township’s sole discretion. Township reserves the right to require cash payment of the full amount due.”* * The motion was unanimously approved.

Treasurer’s Report

Gary Landis made a motion, seconded by Keith Martin to approve the Treasurer’s Report for the month of September 2021. * The motion was unanimously approved.

Visitors

1. Ephrata Rec Center Presentation

Maria Rotella, Program Assistant, reviewed the Summer Municipal Rec Program activities of the past year with the Board of Supervisors. Ms. Rotella requested a donation in the amount of \$9,152.00 in 2022 (this amount is the same as 2021).

2. Middle Creek Search and Rescue – Wes Clark

Wes Clark updated the Board of Supervisors on the status of the project to locate their new building on the Township Municipal Campus.

3. Durlach Mt Airy Fire Company Photo

Keith Martin presented a framed photo of Squad 14 from the Durlach Mt Airy Fire Company in appreciation of the support given by the Township.

Engineer's Report

1. Home Towne Square HOA – Request to transfer ownership of paved path to Township or approve signage of path for walking/pedestrian use only

Debra Rosser Hogben, resident of Home Towne Square, reviewed the Home Towne Square HOA's public path recommendations with the Board of Supervisors. The HOA's first recommendation is for the Township to take ownership and maintain the paved path and the HOA would own and maintain the grass area around the path. Their second recommendation would be to transfer ownership to the HOA with the Township concurring the path will be a walking/pedestrian path only.

After discussion, it was decided that the Township Staff will continue discussion on the definition of pedestrian and the Township Solicitor will contact Landmark to consider the placement of 3 requested signs along the path.

2. Furnace Hills Retreat – Approve and Execute Stormwater Management Agreement

Township Staff reviewed the Stormwater Management Agreement with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve and execute the Stormwater Management Agreement for Furnace Hills Retreat. * The motion was unanimously approved.

Old Business

1. Adopt Ordinance to Amend Fence and Wall Ordinance

Jennifer Mejia, Township Solicitor, reviewed the proposed Ordinance with the Board of Supervisors. Proof of advertisement was provided for the Ordinance.

There was discussion between Township Staff, the Board of Supervisors and residents who had concerns with the effect the change would have on their property.

After discussion, Keith Martin made a motion, seconded by Gary Landis to approve Ordinance #101121 updating the fence and wall regulations. * The motion was approved with Gary Landis voting no on the height change to 6' and allowing a solid fence without Board of Supervisors approval.

After the vote, Keith Martin thanked the audience for the civil manner in which everyone conducted themselves and noted that after the passage of this Ordinance, neighbors with different opinions can still compromise.

2. 222 Blackberry Drive – Request Relief from Fence Ordinance

The property owner rescinded his request for relief.

New Business

1. 320 Clay School Road – Execute Sanitary Sewage Holding Tank Agreement

Bruce Leisey informed the Board of Supervisors that the property owner is building an addition to the current residence for Echo Housing. Due to the nitrate levels a holding tank is required for the black water. The Agreement details maintenance and pumping responsibilities for the holding tank.

Gary Landis made a motion, seconded by Keith Martin to approve and execute the Sanitary Sewage Holding Tank Agreement for 320 Clay School Road. * The motion was unanimously approved.

2. Discussion on Multi Modal Transportation Grant Application

Township Staff is preparing a grant application for improvements to Rt 322 and Wood Corner Road intersection.

Gary Landis made a motion, seconded by Keith Martin to commit to provide a cash match of 50% for the grant application. * The motion was unanimously approved.

3. 408 Flaxen Lane – Authorize Filing Property Maintenance Violation Complaint with District Justice

Bruce Leisey informed the Board of Supervisors that a Notice of Violation was issued on the property for high grass, weeds and a vehicle parked on the sidewalk.

It was noted that the vehicle was removed from the sidewalk and the POA for the property owner is in the process of hiring a lawn maintenance company to cut and maintain the grass.

Due to the updated information provided, the Board of Supervisors agreed to extend the time to cut the grass to Monday. If the grass is not cut by that time, a complaint will be filed with the District Justice.

4. Authorize Execution of IRS Code Section 147(f) Approval and Written Contract for Durlach Mt Airy Fire Company

Bruce Leisey informed the Board of Supervisors that the Durlach Mt Airy Fire Company is in the process of purchasing a new tanker and has applied for a tax-free loan. The Fire Company advertised a public meeting regarding their intention as required. As a part of the process, the Township must provide by executing Section 147(f) approval and written consent acknowledging that the Durlach Mt Airy Fire Company provided fire fighting services to Clay Township for many years and agrees to meet the requirements to continue to provide that service.

It was noted, that this approval does not constitute any financial involvement or obligation by the Township.

Gary Landis made a motion, seconded by Keith Martin to approve and execute Section 147(f) for the Durlach Mt Airy Fire Company. * The motion was unanimously approved.

5. Approval to Modify the Term of Maintenance Bonds for Annex Project

Bob Lynn, Township Engineer, informed the Board of Supervisors the work on the Annex project appears to be substantially completed. Bob also noted the bid requires an 18-month Maintenance Bond for 10% of cost. Typically, Maintenance Bonds are a 12-month bond for 100% of cost.

Keith Martin made a motion, seconded by Gary Landis to approve modification of the Maintenance Bond term from 18 months to 12 months at 100% of cost. * The motion was unanimously approved.

6. Discussion on Purchase of Ferris Mower

There was discussion on the merits of purchasing a new mower due to cost increases and long delivery times.

After discussion, it was decided the existing equipment is in good enough condition to run another year.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$250,097.46 for the month of September. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$757.95 for the month of September. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$2,909.10 for the month of September. * The motion was approved unanimously.

Capital Reserve

Keith Martin made a motion, seconded by Gary Landis to approve the Capital Reserve Fund bills totaling \$1,858.13 for the month of September. * The motion was approved unanimously.

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

Adjournment

Gary Landis made a motion, seconded by Keith Martin, to adjourn the meeting at 9:30 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary