

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
August 8, 2011

The Supervisors of Clay Township met on a regularly scheduled meeting date of August 8, 2011, 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 and Justin Harnish, Vice-Chairman. Keith Martin, Secretary was absent.

Clay Township employee present was Bruce Leisey. Also present were 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.

**Meeting Minutes**

Justin Harnish made a motion, seconded by Tim Lausch, to approve the June 29, 2011 special meeting minutes as printed in the August 8, 2011 agenda. \* The motion was approved unanimously.

Justin Harnish made a motion, seconded by Tim Lausch, to approve the July 11, 2011 meeting minutes as printed in the August 8, 2011 agenda. \* The motion was approved unanimously.

**Treasurer's Report**

Justin Harnish made a motion, seconded by Tim Lausch, to approve the Treasurer's Report for the month of July, 2011. \*The motion was approved unanimously.

**Visitors**

1. Roy Eberly, 65 Icehouse Hill Rd

Mr. Eberly asked the Board of Supervisors for permission to maintain a wall he constructed straddling the property line of 65 Icehouse Hill Rd (owned by Mr. Eberly) and 55 Icehouse Hill Rd (owned by Mr. Colon). Mr. Eberly did not realize he was in violation of the Township wall regulations. Mr. Eberly is working with Randy Maurer to confirm that the wall is compliant with

the Clay Township Building Code. Both Mr. Eberly and Mr. Colon are in agreement to place the wall across the property line.

The Board of Supervisors has concerns with the property issues associated with the wall, including, but not limited to maintenance responsibilities and will require the property owners to sign a Cross Easement Agreement and have it recorded.

Justin Harnish made a motion, seconded by Tim Lausch, to approve relief from Sections 104b and 104i of the Clay Township Code of Ordinance. Approval is contingent on the Township Solicitor drafting Cross Easement Agreement and both parties executing agreement and the wall being in compliance with the 2009 International Building Code. \* The motion was approved unanimously.

2. Lou Katz

Mr. Katz asked when the trees are going to be planted at Clearview Gardens.

The Township Manager contacted HOA representative regarding the timeline for planting and has not heard back from them yet.

Mr. Katz also voiced his concerns with the weeds on the empty lots in the development.

The Township Manager will follow up with Landmark regarding the lots.

**Engineer's Report**

1. Alternative Energy Ordinance

The Board of Supervisors reviewed the comments from the Lancaster County Planning Commission.

Justin Harnish made a motion, seconded by Tim Lausch to approve advertising of the proposed Alternative Energy Ordinance as written. \* The motion was unanimously approved.

2. Home Towne Square Retention Basin Update

Bob Lynn updated the Board of Supervisors on his investigations of the basin issues. The area was inspected and it appears that there has been no flow for a period of time. The only work completed appears to be some minor grading, seeding and jute matting of the eroded area below the level spreader on the Eberly property.

The Board of Supervisors authorized the Township Solicitor to research what options the Township has to require Home Towne Square to revise the basin and eliminate the concerns of the Eberlys and Peaceable Animal Kingdom.

3. Willis Lefever – Sewer Line Relocation

Bob Lynn updated the Board of Supervisors regarding the issues relating to the sewer and water line location at the property located on Lincoln Garden Road.

The water line will be installed under the road edge and the edge of the road will be repaired by developer.

4. Two Cousins Plaza – Sinkhole Update

Bob Lynn informed the Board of Supervisors that there are an additional three sinkholes that opened up increasing total to four.

The Developer is currently working to fix the four sinkholes under the supervision of the Township Engineer.

5. Two Cousins Plaza – weeds

The weeds in the parking lot area have been mowed. The weeds in the sidewalk between curb have not been mowed. The Township Manager will send Notice of Violation through Property Maintenance Code.

6. Wildflower Pond – Update

The home owners have concerns with the process of assuming maintenance responsibilities. It is the Township's understanding an HOA agreement with costs involved will be handed out to the home owners and discussed at a meeting set up by the Developer.

It should be noted that the Township is not involved in the development of the HOA for Wildflower Pond.

Mr. Scott voiced his concerns with the status of the HOA.

Curb repairs are being completed in a timely manner with quality workmanship. All repairs should be completed by the end of September.

## **Old Business**

1. Real Estate Contract with Kingsway Realty

After discussion, Justin Harnish made a motion, seconded by Tim Laush to approve and execute a one year extension to the listing contract that expired on 7/31/11 with an option to cancel contract if decision is made to terminate decision to lease. \* The motion was unanimously approved.

## **New Business**

1. Award Buttercup Dr Overlay Project Bid

Justin Harnish made a motion, seconded by Tim Laush to award the bid to Burkholder Paving at a cost of \$15,672. The other bidders were Martin Paving at \$15,842 and Landis Deck & Son at \$20,496. \* The motion was unanimously approved.

2. Approve Resolution to adopt PA Municipal Records Manual Regulations

Justin Harnish made a motion, seconded by Tim Lausch to adopt Resolution #080811 declaring intent to follow schedules and procedures of the Municipal Records Manual 2008. \* The motion was unanimously approved.

3. Approve Resolution to destroy Municipal Records

Justin Harnish made a motion, seconded by Tim Lausch to adopt Resolution #080811A authorizing disposal of public records as listed. \* The motion was unanimously approved.

4. Authorize advertising for Local Tax Collection Ordinance

Justin Harnish made a motion, seconded by Tim Lausch to approve advertising of the revised Local Tax Collection Ordinance. \* The motion was unanimously approved.

5. Authorize advertising for special meeting on Police Regionalization

After discussion, Justin Harnish made a motion, seconded by Tim Lausch to approve advertising for a special meeting to discuss the proposed Regional Police Department on Wednesday, August 31<sup>st</sup> at 7:00 PM. \* The motion was unanimously approved.

6. Temporary Sewage Tank Ordinance

The Board of Supervisors authorized Bob Lynn to complete a draft for review at the next meeting. The draft should include approval from the Board of Supervisors in each individual case.

This item was tabled until the next meeting.

7. Bank Signature Cards

Justin Harnish made a motion, seconded by Tim Lausch to authorize execution of new bank signature cards for the Township bank accounts at Susquehanna Bank & PLIGIT. The new authorized signatures will be Justin Harnish, Keith Martin and Bruce Leisey. \* The motion was unanimously approved.

8. Sewer Accounts

After review, Justin Harnish made a motion, seconded by Tim Lausch to authorize the Township Manager to take legal action against the 2011 past due sewer accounts. \* The motion was unanimously approved.

**Bills to be Paid**

General Fund

Justin Harnish made a motion, seconded by Tim Lausch, to approve the General Fund bills totaling \$43,108.08 for the month of July. \*The motion was approved unanimously.

Rec Fund

Justin Harnish made a motion, seconded by Tim Lausch, to approve the Recreation Fund bills totaling \$830.83 for the month of July. \*The motion was approved unanimously.

Sewer Fund

Justin Harnish made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$3,841.17 for the month of July. \*The motion was approved unanimously.

**Reports for the Month**

1. Chief of Police / Police Department
2. Fire Companies / Ambulance
3. DMR
5. Solicitor's Report
6. Engineer's Report

**Adjournment**

Justin Harnish made a motion, seconded by Tim Lausch, to adjourn the meeting at 10:29 P.M. \*The motion was approved unanimously.

Clay Township Board of Supervisors

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Timothy Lausch, Chairman

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Justin Harnish, Vice-Chairman

\_\_\_\_\_ ABSENT \_\_\_\_\_  
Keith Martin, Secretary