

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
December 9, 2013

The Supervisors of Clay Township met on a regularly scheduled meeting date of December 9, 2013, 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 from the meeting due to work conflict.

Clay Township employees present were Bruce Leisey, Township Manager and Earl Stauffer, Road Master. 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 7:04 p.m.

Meeting Minutes

Justin Harnish made a motion, seconded by Tim Lausch to approve the October 28, 2013 meeting minutes as printed in the December 9, 2013 agenda. * The motion was approved unanimously.

Justin Harnish made a motion, seconded by Tim Lausch to approve the November 11, 2013 meeting minutes as printed in the December 9, 2013 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 November, 2013. *The motion was approved unanimously.

Visitors

1. Herb Noak, 216 Woodchuck Drive

Mr. Noak informed the Board of Supervisors that kids were playing on the portable toilet in Charity Gardens last week. Mr. Noak said the police were notified and it took 45 minutes for an officer to respond. He questioned why the toilet has not been removed for the winter.

The Road Master said that the company has been called several times to come remove the portable toilet and they haven't done so yet. The Board of Supervisors encouraged Mr. Noak to discuss his police concerns with Chief Steffen.

On Tuesday, December 10, 2013 Chief Steffen informed the Township that as per the NLCRPD call logs an officer responded in 13 minutes. Chief Steffen also discussed the response time with Mr. Noak.

Engineer's Report

1. Stormwater Management Ordinance Update

Bob Lynn discussed the requirement to inspect stormwater facilities in the new proposed ordinance.

Bruce Leisey will poll other municipalities on their plans for inspections.

2. HomeTowne Square – Escrow Release #2

Bob Lynn, Township Engineer, reviewed the request with the Board of Supervisors.

Justin Harnish made a motion, seconded by Tim Lausch to approve Escrow Release #2 in the amount of \$327,220.75 leaving a balance of \$767,734.03 as per the Hanover Engineering Associates letter dated 11/26/2013. * The motion was unanimously approved.

3. Glenn Wissler – Escrow Release

Bob Lynn, Township Engineer, reviewed the request with the Board of Supervisors. The 18 month financial guarantee on the public improvements for Clearview Gardens I & II expired on March 13, 2012. Bob Lynn stated that the improvements are in acceptable condition.

Justin Harnish made a motion, seconded by Tim Lausch to release the balance of the escrow in the amount of \$112,157.93. * The motion was unanimously approved.

4. Lincoln Garden Road Speed Limit Reduction Request

The Developer has concerns with traffic speed at access drive to townhouses. Project was approved with access drive sight distance for 40 MPH but not posted or passed by Ordinance. It is a residential area and therefore could be posted at 25 MPH without the need for an updated traffic study. The Board agreed to post at 25 MPH if the adjoining portion of the roadway in Ephrata Township is posted at 25 MPH or 40 MPH, if not. The developer does agree to pay for speed limit signs on Lincoln Garden Road.

Justin Harnish made a motion, seconded by Tim Lausch to approve drafting an ordinance for 25 MPH speed limit or 40 MPH speed limit from the township line to Hackman Road. * The motion was unanimously approved.

5. Approve Advertising Official Map Ordinance

After discussion it was decided to include private roads and all public facilities. The Planning Commission will review map draft and make comments are their January 2014 meeting.

Old Business

1. Wildflower Pond

No new information provided. A letter was sent reminding the developer of his obligation for winter maintenance of the streets until such time that they are dedicated to the Township. There were no complaints received by the Township following the first winter storm.

Hanover Engineering mapped 6 new sinkholes in the basin. Bruce Leisey will sent notice to the developers regarding the sinkholes.

2. Charity Gardens Pipe Replacement

Bob Lynn informed the Board of Supervisors that cold weather would not affect the quality of this repair.

The Board of Supervisors informed Bob Lynn to proceed with coordination of completion of the repair.

3. Replace Roof on Old Office Building

Bruce Leisey reviewed the quotes received with the Board of Supervisors.

Tim Lausch had questions on the specifications of the quotes. Bruce Leisey will clarify for the next meeting.

4. Approve Advertising of 2014 Budget

After discussion, Justin Harnish made motion, seconded by Tim Lausch to approve advertising providing public notice that the 2014 Budget will be available for public inspection until adoption on December 31, 2013. * The motion was approved unanimously.

New Business

1. Approve Real Estate Tax Exoneration for 529 Landon Circle

Justin Harnish made a motion, seconded by Tim Lausch to approve the tax exoneration in the amount of \$15.20 for the property located at 529 Landon Circle, Ephrata. * The motion was approved unanimously.

2. Sunoco Pipeline Rehab Project

Bruce Leisey informed the Board of Supervisors that Sunoco is inspecting and rehabilitating the existing 8" line in its right-of-way to transfer NLP from Marcellus Gas area Western PA to the Marcus Hook Complex on the Delaware River. They are also doing a feasibility study on installing another pipe line in the existing right-of-way.

3. Approve Ordinance to Approve School Resource Officer for Additional Three Years

Justin Harnish made a motion, seconded by Tim Lausch to approve Ordinance #120913 to extend the term of the current School Resource Office Agreement for an additional three (3) years through 2016. * The motion was approved unanimously.

4. Approve Appointment of Weinhold Nickel and Company as the Auditor for 2013

Justin Harnish made a motion, seconded by Tim Lausch to appoint Weinhold Nickel and Company to make an examination of all accounts of the Township for the 2013 fiscal year. * The motion was approved unanimously.

5. Approve Advertising of the 2014 Meeting Schedule

Justin Harnish made a motion, seconded by Tim Lausch to approve advertising of the 2014 Meeting Schedule. * The motion was approved unanimously.

6. Approve and Execute Signal Preventative Maintenance Agreement

Justin Harnish made a motion, seconded by Tim Lausch to approve and execute the Preventative Maintenance Agreement with CM High in the amount of \$1,324.00 for traffic lights located in Clay Township. * The motion was approved unanimously.

Executive Session

Justin Harnish made a motion, seconded by Tim Lausch to enter into Executive Session at 9:15 PM to discuss potential litigation and personnel matters. * The motion was approved unanimously.

Justin Harnish made a motion, seconded by Tim Lausch to exit Executive Session at 10:20 PM. * The motion was approved unanimously.

Justin Harnish made a motion, seconded by Tim Lausch to contribute excess non-uniform pension state aid to the NLCRPD pension fund. * The motion was approved unanimously.

Justin Harnish made a motion, seconded by Tim Lausch to re-appoint Greg Schmuck, 419 Countryside Drive, Ephrata to the EAJA Board. * The motion was approved unanimously.

Justin Harnish announced his plans to resign as Township Supervisor and member of EAJA effective 12/31/2013 at 5:00 PM. Written notification was submitted to the Township.

Bills to be Paid

General Fund

Justin Harnish made a motion, seconded by Tim Lausch, to approve the General Fund bills totaling \$29,766.40 for the month of November. * The motion was approved unanimously.

Rec Fund

Justin Harnish made a motion, seconded by Tim Lausch, to approve the Recreation Fund bills totaling \$145.68 for the month of November. * The motion was approved unanimously.

Sewer Fund

Justin Harnish made a motion, seconded by Tim Lausch, to approve the Sewer Fund bills totaling \$2,924.89 for the month of November. * The motion was approved unanimously.

Liquid Fuel

Justin Harnish made a motion, seconded by Tim Lausch, to approve the Liquid Fuel bills totaling \$9,974.85 for the month of November. * 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

Justin Harnish made a motion, seconded by Tim Lausch, to adjourn the meeting at 10:45 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Justin Harnish, Vice-Chairman

ABSENT
Keith Martin, Secretary