

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
January 9, 2012

The Supervisors of Clay Township met on a regularly scheduled meeting date of January 9, 2012, 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, Justin Harnish, Vice-Chairman and Keith Martin, Secretary.

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 7:06 p.m.

**Meeting Minutes**

Justin Harnish made a motion, seconded by Keith Martin, to approve the August 31, 2011 meeting minutes as printed in the January 9, 2012 agenda. \* The motion was approved unanimously.

Justin Harnish made a motion, seconded by Keith Martin, to approve the November 29, 2011 meeting minutes as printed in the January 9, 2012 agenda. \* The motion was approved unanimously.

Keith Martin made a motion, seconded by Justin Harnish, to approve the December 12, 2011 meeting minutes as printed in the January 9, 2012 agenda. \* The motion was approved unanimously.

Justin Harnish made a motion, seconded by Keith Martin, to approve the December 28, 2011 meeting minutes as printed in the January 9, 2012 agenda. \* The motion was approved unanimously.

**Treasurer's Report**

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

## **Visitors**

1. Louis Katz, Clearview Gardens Development

Mr. Katz had questions on truck parking on the streets in Clearview Garden Development.

The Board of Supervisors informed Mr. Katz that a copy of the Township Parking Ordinance was sent to the Clearview Garden's Home Owners Association.

## **Engineer's Report**

1. Wildflower Pond Sinkholes

Bruce Leisey, Township Manager and Bob Lynn, Township Engineer met with the property owners at 307 & 309 Sweet William Way the location of the sinkhole which is in a stormwater easement between the properties and informed them the cost of repair will be their responsibility and that the Township must approve the repair process.

The Board of Supervisors authorized the Township Engineer to determine if the pipe is leaking or what is causing the sinkhole.

Justin Harnish made a motion, seconded Keith Martin to authorize the Township Engineer to do an assessment of the sinkhole area to determine cause of the problem on the Sweet William Way properties. \* The motion was approved unanimously.

The Township Manager will coordinate setting up a meeting with the property owners surrounding the sinkhole at 123 Queen Annes Way.

Rick Bernarduci and Dennis Scott, residents of Wildflower Pond Development, voiced concerns regarding areas of the sidewalk that are uneven and/or cracking. 106 Queen Annes Way is one of the properties with this issue.

The Township Manger will check the list of issues received from the Wildflower Pond residents earlier in the year.

The Township Solicitor will follow up with the Developer on status of road dedication.

2. Two Cousins Plaza – Sinkhole Update

Township Representatives have not heard from the Developer on repair status of sinkhole.

The Board of Supervisors is open to the Township Engineer meeting with the Developer to review the proposed modifications to the basin to hopefully alleviate additional sinkholes.

Justin Harnish made a motion, seconded by Keith Martin to authorize the Township Solicitor to send a Notice of Violation to the Developer's regarding the sinkhole repair. \* The motion was unanimously approved.

### 3. HomeTowne Square – Basin Update

Bob Lynn, Township Engineer and Bruce Leisey, Township Manager met with Representatives from HomeTowne Square and Dr. Capiello, Peaceable Kingdom Animal Hospital to discuss resolution to stormwater concerns on Dr. Capiello's property. Dr. Capiello's Engineer will review proposed resolution and submit comments.

No decisions were made at this time.

### 4. Lincoln Land Group – Escrow Release Request

After review, Justin Harnish made a motion, seconded by Keith Martin to reduce the escrow by \$24,520.03 leaving a balance of \$449,358.04. \* The motion was unanimously approved.

### 5. Countryside Sinkhole Remediation

The Township Manager met with the residents abutting the sinkholes. The Sinkhole is in the stormwater easement and repair is the responsibility of the Township. The property owner at 406 Countryside Drive will remove any fences from the easement before repairs start. The property owner will be responsible for replacing fence after repair.

Justin Harnish made a motion, seconded by Keith Martin to authorize remediation of the sinkholes. \* The motion was unanimously approved.

### 6. Elmer King – Sewage Facilities Planning Module

After discussion, Justin Harnish made a motion, seconded by Keith Martin to adopt Resolution #010912 Sewage Facilities Planning Module for Elmer King. \* The motion was unanimously approved.

Justin Harnish made a motion, seconded by Keith Martin to approve the Sewage Facilities Planning Module and Stormwater Management Exemption for Elmer King, 630 Hackman Road. \* The motion was unanimously approved.

## **New Business**

### 1. Adopt SRO Ordinance

After review, Justin Harnish made a motion, seconded by Keith Martin to adopt the School Resource Officer Ordinance #010912 to extend the agreement for two (2) years to provide the School Resource Officer to Ephrata Area School District. \* The motion was unanimously approved.

### 2. Adopt Ordinance joining Susquehanna Municipal Trust

After discussion, Justin Harnish made a motion, seconded by Keith Martin to adopt Ordinance #010912A to enter into an inter-municipal agreement with Susquehanna Municipal Trust to provide Workers Compensation Insurance for township employees in 2012. \* The motion was unanimously approved.

### 3. Approve PSATS Dues for 2012 and attendance at Annual Conf

After discussion, Justin Harnish made a motion, seconded by Keith Martin to approve the annual 2012 PSATS membership dues and approve attendance for Earl Stauffer, Bruce Leisey and Keith Martin to attend the 2012 Annual Conference in May. \* The motion was unanimously approved.

### 4. Approve Advertising of Ordinance to Collect Fees for Collection of Delinquent Municipal Accounts

Keith Martin made a motion, seconded by Justin Harnish to approve the advertising of Ordinance to collect attorney fees and interest on municipal lien filings. \* The motion was unanimously approved.

### 5. Valley View Mobile Home Park - Sinkholes

After discussion, Keith Martin made a motion, seconded by Justin Harnish to authorize the Township Solicitor to send a Notice of Violation to Valley View Mobile Home Park for failure to repair numerous sinkholes in the stormwater basin along with a request to provide the Township with engineering report of sinkholes within 5 days. \* The motion was unanimously approved.

6. Install Gas Meters

Justin Harnish made a motion, seconded by Keith Martin to approve installation of three (3) gas line meters (2 in new municipal building and 1 in old maintenance building) and installation of two (2) supply heaters and one (1) new heater in the old maintenance building at a cost of \$3,850 by Larry Henry, 2807 Safe Harbor Road, Millersville, PA 17551. The cost will be shared by the Northern Lancaster County Regional Police Department. \* The motion was unanimously approved.

7. Bethany Gardens Rec Fee

After discussion, Keith Martin made a motion, seconded by Justin Harnish to modify the rec fee agreement with Bethany Gardens Developer executed September 8, 2009 to allow final payment to be made in two (2) installments. The first half installment due January 31, 2011 and the second half installment due July 1, 2012. \* The motion was unanimously approved.

8. Park/Rec Grant

Keith Martin made a motion, seconded by Justin Harnish to authorize the Township Manager to apply for a DCNR Grant for park improvements. \* The motion was unanimously approved.

9. John Martin, Durlach Mt Airy Fire Company

Mr. Martin informed the Board of Supervisors that the fire company purchased a new Engine and should take delivery in approximately 3 weeks and will be in service by March or April.

Mr. Martin also asked the Board of Supervisors to consider budgeting additional funds starting in 2013 to the Fire Company to be applied to the principal of the vehicle loan.

No decisions were made at this time.

**Bills to be Paid**

General Fund

Keith Martin made a motion, seconded by Justin Harnish, to approve the General Fund bills totaling \$48,111.27 for the month of December. \*The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Justin Harnish, to approve the Recreation Fund bills totaling \$310.94 for the month of December. \*The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Justin Harnish, to approve the Sewer Fund bills totaling \$3,522.40 for the month of December. \*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**

Keith Martin made a motion, seconded by Justin Harnish, to adjourn the meeting at 9:50 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

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Keith Martin, Secretary