

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

The Supervisors of Clay Township met on a regularly scheduled meeting date of September 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 Keith Martin, Secretary. Justin Harnish, Vice-Chairman was absent from the meeting.

Clay Township employee present was Bruce Leisey, Township Manager. 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 7:00 p.m.

Meeting Minutes

Keith Martin made a motion, seconded by Tim Lausch, to approve the August 12, 2013 meeting minutes as printed in the September 9, 2013 agenda. * The motion was approved unanimously.

Treasurer's Report

Keith Martin made a motion, seconded by Tim Lausch, to approve the Treasurer's Report for the month of August, 2013. *The motion was approved unanimously.

Visitors

1. Dick Weaver

Mr. Weaver wanted to thank the Board of Supervisors for paving the parking lot.

Engineer's Report

1. Ephrata Church of the Nazarene – Landscape Modification

Jeremiah Weber, Ken Grube and Pastor Rocky Hambrick representatives of the Church informed the Board of Supervisors that the church removed approximately 71 evergreen shrubs from an area located between the parking lot in front of the building and Rt 322. The church had concerns with the size and height of the shrubs that were removed.

These shrubs were originally installed as a condition of a waiver request to eliminate a buffer at the same location which was required by the then current SALDO.

The Church replaced the shrubs with approximately 42 knockout rose bushes. The Clay Township Planning Commission liked the aesthetics of the rose bushes but had a concern with the elimination of approximately 30 plants and the lack of green plant material during the winter months.

The representative informed the Board of Supervisors their intent is to plant 32 blue spruce birdsnest plants, which grow to approximately 18” high and 24” wide. They will be planted in the existing mulch beds, 3 plants per bed.

Keith Martin made a motion, seconded by Tim Lausch to approve the modification based on the concerns the Church had with visibility and security and since the modification generally meets the content of the original landscape plan. * The motion was unanimously approved.

2. Hometowne Square Conditional Approval Resolution

Lee Bothel and Clair Weaver representatives of Hometowne Square informed the Board of Supervisors that they have not been able to acquire access approval for water, sewer and emergency access from Dr. Busko, the Developer of Wildflower Pond. This approval was a condition of plan approval. They are requesting the Township grant approval and record plan without an agreement to allow access to water and sewer and emergency access from the Developer of Wildflower Pond.

The Board of Supervisors was not inclined to modify the terms of the conditional approval to the extent requested by Hometowne Square. The Board of Supervisors was willing to consider an agreement to phase the project to allow homes that are able to be connected to the water and sewer line currently installed in Hometowne Square to be built and to allow the Developer to temporarily re-configure water service lines and the emergency access without the need to connect into the privately owned water line.

The Developers Solicitor will draft a document for review by the Township.

3. Hackman Road Pipe Replacement Project

Bob Lynn, Hanover Engineering informed the Board of Supervisors that the drawing for this project was corrupted and unable to be viewed. Hanover Engineering employees will re-survey and provide a new drawing to the Township and Roadmaster by the end of the week.

Tim Lausch and the Roadmaster will determine process to complete this project.

Old Business

1. Wildflower Pond

Bruce Leisey reported that he is still waiting to hear back from all parties to schedule a meeting as requested by Joe Conigliaro to discuss responsibilities for maintenance and repair of the stormwater facilities for Wildflower Pond.

2. Charity Gardens Pipe Replacement

Bob Lynn, Hanover Engineering Assoc, informed the Board of Supervisors that the cost will be \$350-750 per area to repair the 5 damaged sections of the stormwater pipe as noted in the video tape of the pipes in Charity Gardens.

Bruce Leisey will review the costs of repair with the Developer.

3. Bethany Gardens III – Rec Fee Modification Request

The Clay Township Board of Supervisors reviewed the Developers written request to pay the Rec Fee associated with Bethany Gardens III in two installments of \$15,300 each at the time a building permit application is made.

The Board of Supervisors was not in favor of this request due to their uncertainty with the amounts of current rec funds and timing of funds that will be required if the park development grant is approved.

The Board of Supervisors would be willing to accept installments of \$15,300 upon recording of the plan and \$15,300 by February 1, 2014. This offer will be forwarded to the Developer for his review.

New Business

1. Approve Advertising of Ordinance to Amend Police Charter

Keith Martin made a motion, seconded by Tim Lausch to approve advertising of an Ordinance to modify the NLCRPD Charter to allow the expansion of the Charter to include West Cocalico Township, Denver Borough and Adamstown Borough contingent upon them providing notice of their intent to terminate police services with East Cocalico Township. * The motion was unanimously approved.

2. Stormwater Management Ordinance Update

Bob Lynn, Township Engineer informed the Board of Supervisors that the November 21, 2013 deadline to adopt the township ordinance is postponed. He will revise the township ordinance to include exemptions for Ag use per DEP and Lancaster County Planning Commission.

3. Adopt Mobile Home Park Application and Renewal Resolution

Keith Martin made a motion, seconded by Tim Lausch to adopt Resolution 090913 to adopt a Mobile Home Park Application and Renewal form as provided by Chapter 14 of the Clay Township Code of Ordinances. * The motion was unanimously approved.

4. Approve Tax Exoneration

Keith Martin made a motion, seconded by Tim Lausch to approve tax exoneration for the property located at 324 Liberty Street, Ephrata in the amount of \$16.34 due to an assessment appeal. * The motion was unanimously approved.

5. Blue Ridge Right-of-Way Agreement

Keith Martin made a motion, seconded by Tim Lausch to approve and execute the Right-of-Way Agreement between Clay Township and Blue Ridge Cable Technologies Inc. to provide cable services to Snyder Park. * The motion was unanimously approved.

6. 2014 Non Uniform Pension Minimum Municipal Obligation

Keith Martin made a motion, seconded by Tim Lausch to approve the 2014 Non Uniform Pension Minimum Municipal Obligation in the amount of \$12,254. * The motion was unanimously approved.

7. Road Tour Meeting

Keith Martin made a motion, seconded by Tim Lausch to approve advertising for a Road Tour meeting on Tuesday, September 24 or Thursday, September 26 at 7:00 AM. * The motion was unanimously approved.

8. Authorize Notice of Termination with SMT

Keith Martin made a motion, seconded by Tim Lausch to authorize Bruce Leisey to send a Notice of Intent to Terminate workers compensation with SMT effective December 31, 2013. * The motion was unanimously approved.

9. Snyder Park Fence

The Board of Supervisors authorized Bruce Leisey to coordinate a meeting with adjacent property owner, Glenn Hursh and Township Representatives to discuss options for providing a fence along the East side of Snyder Park.

10. Lancaster County Preservation Meeting

The Board of Supervisors authorized Bruce Leisey to attend the Lancaster County Preservation meeting on 9/19/13, if scheduling permits, at a cost of \$25.00. * The motion was unanimously approved.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the General Fund bills totaling \$177,431.14 for the month of August. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the Recreation Fund bills totaling \$2,758.94 for the month of August. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Tim Lausch, to approve the Sewer Fund bills totaling \$3,360.52 for the month of August. * The motion was approved unanimously.

Liquid Fuel

Keith Martin made a motion, seconded by Tim Lausch, to approve the Liquid Fuel Fund bills totaling \$5,164.09 for the month of August. * 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

Keith Martin made a motion, seconded by Tim Lausch, to adjourn the meeting at 8:30 P.M. *The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

ABSENT
Justin Harnish, Vice-Chairman

Keith Martin, Secretary