

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
March 13, 2023

The Supervisors of Clay Township met on a regularly scheduled meeting date of March 13, 2023, 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. The meeting agenda was 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, Wendy Hackman, Administrative Assistant, 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 6:32 p.m.

**Meeting Minutes**

Gary Landis made a motion, seconded by Keith Martin to approve the February 13, 2023 meeting minutes with a spelling correction on page 2 and the addition on page 4, item 4 of Linear Feet to identify line painting. \* The motion was unanimously approved.

**Treasurer's Report**

Gary Landis made a motion, seconded by Keith Martin to approve the Treasurer's Report for February 2023. \* The motion was unanimously approved.

**Visitors**

1. Hackman Living Trust

Tabled at the request of the applicant.

2. Home Towne Square HOA

Russ and Susie Begly and Barb and Allen Glass representatives from the Home Towne Square HOA Executive Board were present.

Russ Begly shared with the Board of Supervisors the concerns that the HOA has with the public walking path. Russ explained that the path is 11 years old and there has been no maintenance done to the path since it was put in place. There are dead trees along the path that need to be trimmed or removed. The HOA does not have identifiable markings to know where the property line is for the path.

Bob Lynn stated that when the path was installed it was inspected and was installed according to the plan specifications.

The Board of Supervisors understands the concerns of the HOA but ultimately, the HOA and Landmark need to work on these issues together.

**Engineer's Report**

1. Update on Permit Agreement with Refreshing Mt. Camp

Bob Lynn said he received a revised plan and there are still a few items that need addressed.

Bruce Leisey said the Building Permit application has been received and is on hold until the plan and Permit Agreement are completed.

2. Time Extension Request – Wanda & Marlin Martin

Bruce Leisey explained that the Martins are still waiting on approval from DEP on their NPDES Permit.

Keith Martin made a motion, seconded by Gary Landis to approve a 60-day time extension request for Wanda & Marlin Martin plan. \* The motion was unanimously approved.

3. Time Extension Request – 227 Wood Corner Road

Bob Lynn informed the Board of Supervisors that impervious coverage was added on the property without a NPDES permit from DEP. Bob explained that the property owner is currently working with DEP to obtain the proper permits and approvals. Bob said the process could take 6 months to a year to complete.

Gary Landis made a motion, seconded by Keith Martin to approve a 90-day time extension request for the 227 Wood Corner Road plan. \* The motion was unanimously approved.

4. Time Extension Request – Zimmco Enterprises

Bruce Leisey stated that the applicant submitted a revised HOP to Penn Dot and they are working out the details.

Keith Martin made a motion, seconded by Gary Landis to approve a 90-day time extension request for Zimmco Enterprises plan. \* The motion was unanimously approved.

5. Escrow Release Request – Home Towne Square Phase #1

Bob Lynn reviewed his letter dated 3/6/23 and revised 3/14/23 with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve an escrow reduction in the amount of \$156,067.88, retaining a balance of \$3,450.00 for completion of the NPDES Notice of Termination and punch list items as outline in the Hanover Engineering letter dated 3/14/23. \* The motion was unanimously approved.

6. Revised As-Built Plan – Home Towne Square Phase #1 and #2

Bob Lynn reviewed his letter dated 2/22/23 with the Board of Supervisors. A copy of the Notice of Termination and a copy of the recorded As-Built Plans should be provided to the Township.

Gary Landis made a motion, seconded by Keith Martin to approve the revised As-Built Plan as submitted and outlined in the Hanover Engineering letter dated 2/22/23. \* The motion was unanimously approved.

7. 910 Hannah Drive – Request to Encroach Stormwater Easement with Deck

Bruce Leisey reviewed the request with the Board of Supervisors.

After discussion, Gary Landis made a motion, seconded by Keith Martin to table the request at this time and have Bruce ask the applicant to attend a meeting to review the project with the Board of Supervisors and Township Staff.

## **Old Business**

None

## **New Business**

### 1. Review and Award Bids for Dodge Intrepid and Ferris Mower

Bruce Leisey said the items were posted on Municibid for sale and reviewed the bids received with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve sale of the Dodge Intrepid in the amount of \$2,050.00 and the Ferris Mower in the amount of \$3,000.00. \* The motion was unanimously approved.

### 2. Accept Resignation of Marvin Stoner and Appoint new Sewage Enforcement Officer

Bruce Leisey informed the Board of Supervisors that Marvin Stoner has sent a letter of resignation as SEO for Clay Township. Bruce explained that Marvin has had some health issues and his resignation is immediate.

Township Staff recommended appointing Leonard Spencer as SEO for the Township and look for a candidate for back up SEO.

Keith Martin made a motion, seconded by Gary Landis to accept Marvin Stoner's resignation effective immediately. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to appoint Leonard Spencer as Sewage Enforcement Officer for Clay Township effective immediately. \* The motion was unanimously approved.

The Board of Supervisors expressed their appreciation for the years of work that Marvin Stoner has given to the Township and well wishes for his health journey ahead.

### 3. Accept Resignation of Greg Schmuck and Appoint new EAJA Member

Bruce Leisey informed the Board of Supervisors that Greg Schmuck has sent a letter of resignation as a Clay Township representative on the Ephrata Area Joint Authority effective 3/10/2023.

Gary Landis made a motion, seconded by Keith Martin to accept Greg Schmuck's resignation effective 3/10/23. \* The motion was unanimously approved.

The Board of Supervisors expressed their appreciation for the years of representation that Greg Schmuck has given on the EAJA board.

After discussion, the Board of Supervisors tabled the appointment of a new member. Township Staff will report back with a recommendation.

4. Approve authorization for DMTA Fire Police to assist at the Penryn Fire Company Mud Sale 3/18/2023

Keith Martin made a motion, seconded by Gary Landis to authorize the DMTA Fire Police to assist with traffic control at the Penryn Fire Company mud sale on 3/18/23. \* The motion was unanimously approved.

5. Discuss and Possible Approval of Electric Supplier Contract

Bruce Leisey reviewed the quotes that he received from electric suppliers. Bruce informed the Board of Supervisors that our current contract expires 12/31/23.

Gary Landis made a motion, seconded by Keith Martin to enter into a four-year agreement with Freepoint who is our current supplier at a cost of \$.08826 per KWH. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to authorize Bruce Leisey to sign the agreement on behalf of the Township. \* The motion was unanimously approved.

6. Approve Attendance at LCATS Meeting on 3/30/23

Bruce Leisey reviewed the Spring Meeting with the Board of Supervisors. The meeting will be held on 3/30/23 and there is no cost to attend. Bruce asked the Board of Supervisors to notify him if they would like to attend.

7. Authorization to Execute Documents for Purchase of Trailer and Sale of Ferris Mower and Dodge Intrepid

After review, Keith Martin made a motion, seconded by Gary Landis to authorize Bruce Leisey to execute the appropriate documents for each item. \* The motion was unanimously approved.

**Executive Session**

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 8:35 PM to discuss Purchase of Real Property and Personnel Issues. \* The motion was unanimously approved.

Gary Landis made a motion, seconded by Keith Martin to exit Executive Session at 9:30 PM. \* The motion was unanimously approved.

Bob Lynn shared an update on the 322/Woodcorner/Durlach Intersection Grant project and purchase of additional right-of-way.

There was discussion on property maintenance issues within the Township.

No decisions were made at this time.

**Bills to be Paid**

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$83,646.19 for the month of February. \* The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$244.11 for the month of February. \* The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$3,541.94 for the month of February. \* The motion was approved unanimously.

**Reports for the Month**

1. EMS Providers
2. Engineer's Report
3. Manager's Report
4. Zoning Officer's Report

**Adjournment**

Gary Landis made a motion, seconded by Keith Martin, to adjourn the meeting at 9:35 P.M. \* The motion was approved unanimously.

Clay Township Board of Supervisors

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Timothy Lausch, Chairman

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Keith Martin, Vice Chairman

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Gary Landis, Secretary